

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

**HOLLY PAPASSAY, TONI GRANN, ROBERT MITCHELL,
DALE GYSELINCK and LORRAINE EVANS**

Plaintiffs/Moving Parties

and

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ONTARIO

Defendant/Responding Party

Proceeding under the *Class Proceedings Act, 1992*

**VOLUME VI OF VI: MOTION RECORD OF THE DEFENDANT,
HER MAJESTY THE QUEEN IN THE PROVINCE OF ONTARIO**
(Motion for Certification, returnable January 24, 2017)

June 14, 2016

ATTORNEY GENERAL OF ONTARIO

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Court File No.: CV-14-0018

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

**HOLLY PAPASSAY, TONI GRANN, ROBERT MITCHELL,
DALE GYSELINCK and LORRAINE EVANS**

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- and -

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Proceeding under the *Class Proceedings Act, 1992*

AFFIDAVIT OF BRUCE RIVERS
(Sworn June 10, 2016)

I, **BRUCE RIVERS**, of the City of Toronto, in the Province of Ontario **MAKE OATH**
AND SAY:

1. I am currently the Executive Director of Covenant House in Toronto, Canada's largest and most comprehensive agency serving homeless youth. I have spent most of my career working in the child welfare and protection field, starting as a youth mental health worker in Nova Scotia in 1972. For a period of 28 years, from 1976 to 2004, I held positions of progressing

responsibility from worker, to supervisor, to manager, to executive leadership within Children's Aid Societies in the Toronto area: I was with the Children's Aid Society of Metropolitan Toronto (Toronto CAS) from 1976 to 1986 and again from 1988 to 2004, and with the Catholic Children's Aid Society of Metropolitan Toronto (Toronto Catholic CAS) from 1986 to 1988. At Toronto CAS, I served from 1988 to 2004 and was responsible for the administration and operation of North America's largest Board-operated child welfare organization. Attached hereto as **Exhibit "A"** to this affidavit is a true copy of my curriculum vitae.

2. I have direct knowledge of the matters to which I hereinafter depose, resulting from my experience in child welfare and protection within the organizational ambit of two Children's Aid Societies, and also from providing direction and leadership for child welfare legislative and policy at the provincial level. Where I indicate that information has been obtained from other sources or documents, I believe such information to be true.

Criminal Injuries Compensation Board Claims at Toronto CAS

3. Based on my years of experience working in child welfare, I am familiar with the Criminal Injuries Compensation Board (the "**CICB**") and aware that victims of violent crimes can apply to the CICB for compensation.

4. During my tenure at the Toronto CAS, there was a process in place for making claims on behalf of abused children to the CICB, and claims were actively pursued in appropriate cases. In my experience, particular attention was placed on obtaining compensation for Crown wards, especially as the Crown wards were reaching the age of 18, at which point the wardship would be terminated.

5. Prior to 1995, making CICB claims of behalf of children, including Crown wards, was

the responsibility of individual case workers.

6. In 1995, a Toronto CAS initiative known as the “Criminal Injuries Compensation Project” (CICB Project) was initiated. With funding assistance from the Children’s Aid Foundation, a charity which funds innovative child welfare programs and services, a formal process was developed at Toronto CAS for making CICB claims. This was intended to ensure a formal process for the submission of applications to the CICB on behalf of all eligible youth and children under the society’s care.

7. As part of the CICB Project, Toronto CAS developed the Criminal Injuries Compensation Manual (Manual) and made it available to staff at the Toronto CAS in January 1997. The Manual outlines the responsibility of the Toronto CAS to consider possible claims for abused children and youth. The Manual also contains a comprehensive guide to the application process for making claims to the CICB. It includes extensive appendices, sample templates, and letters. Attached hereto as **Exhibit “B”** to this affidavit is a copy of the Manual from 1997.

8. Subsequently, the Manual was updated in 2003, and retitled the Criminal Injuries Compensation Project Administrative Manual. This contains additional instruction and information for making CICB claims on behalf of children. Attached hereto as **Exhibit “C”** to this affidavit is a copy of the Project Administrative Manual from 2003.

9. The process that was developed through the CICB Project continues to this day. Since 1995, designated staff have provided centralized support for all CICB submissions. The submissions are prepared by both staff and volunteers.

10. In my time at Toronto CAS, all Crown wards alleged to be victims of crime were considered to be potentially eligible to make a claim to the CICB. It was not necessary that a

criminal charge had been laid in a given situation. Physical and sexual abuse were considered as valid grounds for making an application. A child's consent would be sought where possible prior to initiating a claim. Claims would be assessed internally by staff who were trained and experienced in determining whether a particular case warranted pursuing a claim to the CICB and whether there was sufficient information and documentation to support the claim.

11. As reflected in the the Project Administrative Manual from 2003, by 2003 the Toronto CAS had secured over \$1,000,000 for children in its care from the Board. This reflects payments awarded for pain and suffering and did not include monies awarded for therapy. Based on my ongoing communications with the Toronto CAS from time to time, I am also aware that since 2003 the Toronto CAS has continued to make applications for children in its care and to receive awards from the the CIBC.

12. Funds obtained for Crown wards from CICB claims were either held by the Office of the Public Guardian and Trustee for children under 18, or through the society's finance department if the claimant was over 18. Youth who were close to "aging out" (i.e. almost 18 years of age) or who were over 18 years of age were typically offered financial planning and counselling by Toronto CAS, often by volunteers with financial skills and experience.

CICB Claims at Toronto Catholic CAS

13. While I worked at the Toronto Catholic CAS, I recall there were detailed policies and procedures in place for guiding staff in various areas of day to day operations. To my knowledge, at the Toronto Catholic CAS it is the primary responsibility of a child's case worker to make applications to the CICB. Information on making such applications was made available to all service and legal staff at Toronto Catholic CAS. Attached hereto as **Exhibit "D"** is a copy of the

policies of Toronto Catholic CAS with regard to CICB claims.

Making Civil Claims on Behalf of Crown Wards

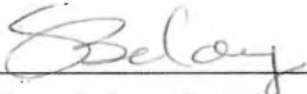
14. I do not recall Toronto CAS initiating civil claims against family members or others on behalf of current or former Crown wards during my tenure in relation to abuse they had suffered. Based on my experience, this would not have been a viable option. Most of the perpetrators would have lacked the financial resources to pay damages awarded by civil courts and in any event doing so would not likely be in a child's best interests. In some cases, pursuing a civil claim would interfere with ongoing family relationships and in many cases it would be traumatic for a child to have to go through the experience of testifying against a family member in a civil court proceeding.

Crown Ward Access to Therapy, Counselling, and Other Support Services

15. Children under the care of the Toronto CAS and the Toronto Catholic CAS who were in need of therapy, counselling, support, or other help would receive such services, regardless of whether they were eligible for compensation from the CICB. The provision of therapy, counselling, and support services was based on need, not CICB eligibility. There might be waitlists for these types of services, but in my experience, if a child needed help, he or she received it. Plans of care were developed for every child. If the plan suggested the need for assessment or therapy of any kind, whether a result of abuse, neglect, or otherwise, those services would be sought and provided, regardless of the availability of compensation from the CICB.

16. I swear this affidavit in response to the motion to certify the present action as a class proceeding and for no other or improper purpose.

Sworn before me in the City of Toronto,
in the Province of Ontario on this 10th
day of June, 2016.




A Commissioner for Taking Affidavits, etc.

Senayit Belay,
a Commissioner, etc., Province of
Ontario, while a Student-at-Law,
Expires January 14, 2019.



BRUCE RIVERS

This is **Exhibit "A"** referred to
in the Affidavit of Bruce Rivers,
sworn on this 10th day of June,
2016.



A Commissioner etc.

Senayit Belay,
a Commissioner, etc., Province of
Ontario, while a Student-at-Law.
Expires January 14, 2019.

CURRICULUM VITAE**BRUCE RIVERS, MSW, RSW**

As a Senior Executive in the nonprofit human services sector, strong skills supported by extensive “hands-on” experience have been acquired in areas of:

- program planning, policy and service delivery;
- human resource management;
- financial planning and administration;
- communications, public relations and fundraising;
- inter-governmental and community systems; and
- strategic planning, implementation and outcome measurement.

EMPLOYMENT HISTORY:

Executive Director, Covenant House Toronto

2011- Present

- Directs the efficient and effective administration and operation of Canada's largest and most comprehensive agency serving homeless youth;
- Directs the activities of a team of 320 including 120 volunteers and 200 staff through a diverse team of 6 senior personnel;
- Ensures the service objectives, goals and programs of the organization are clearly defined and implemented across a variety of residential and day programs for approximately 3,000 youth annually, ages 16 to 25;
- Ensures the appropriate development and execution of Covenant House policies, plans, budgets and strategies to meet the quality and quantity of service required by the Board of Directors (2014-2015 annual budget \$22 million);
- Represents the organization to the public, its extensive donor base, other service providers, various government bodies, as well as the media;
- Represents Toronto and Eastern Canada at the Covenant House International federation consisting of 20 similar organizations throughout the Americas.

Chief Executive Officer, Community Living Toronto

2006 – 2011

- Directed the efficient and effective administration and operation of one of North America's largest Board-operated Developmental Services organizations in accordance with Provincial and related legislation, Association Constitution and Bylaws;
- Directed the activities of 1,300 staff and 1,000 volunteers through a diverse team of eight senior personnel;
- Ensured the service objectives, goals and programs of the Association were clearly defined and implemented across a variety of residential and community based programs for approximately 6,000 clients of all ages in 76 different program locations;

- Ensured the appropriate development and execution of Association policies, plans, budgets and strategies to meet the quality and quantity of services required as determined by the Board of Directors and financial parameters (2010-2011 annual budget \$65 million);
- Represented the Association to the public, other service providers, policy, funding and government bodies as well as the media and its membership base at a local, provincial, national and international level;
- Guided the Association through strategic renewal and realignment given changes to legislation and a province wide move to transform developmental services.

Executive Director, Child Welfare Secretariat, Ministry of Children & Youth Services (Secondment)

2004 - 2006

- Provided overall direction and leadership for the Policy Division of the Ministry with all aspects of child welfare legislation, policy, as well as funding approaches for the Province of Ontario;
- Directed the activities of a multi-disciplinary team of 30 policy, research, financial and legal experts in the area of child welfare;
- Provided advice and leadership as the designated Director of Child Welfare for Ontario, representing the province at provincial/territorial and federal tables in all aspects of child welfare;
- Represented the government to various community stakeholders, aboriginal, judicial and professional groups through a variety of media on various matters related to child welfare.

Executive Director, Children's Aid Society of Metropolitan Toronto

1988 – 2004

- Directed the efficient and effective administration and operation of North America's largest Board-operated Child Welfare organization in accordance with the Provincial and related legislation, Society Constitution and By-laws;
- Directed the activities of 825 staff, 647 volunteers and 364 foster parents through a diverse team of 8 senior personnel;
- Ensured that objectives, goals, plans and programs of the Society were clearly defined and implemented;
- Ensured the appropriate development and execution of Society policy, plans, budgets and strategies to meet the quality and quantity of services required as determined by the Board of Directors and financial parameters (2002-2003 annual budget \$136 million);
- Represented the Society to the public, other service institutions, agencies, policy and funding bodies as well as the media, often around highly controversial and sensitive matters;
- Guided the organization through a massive public enquiry and restructuring to maximize breadth and quality of all service and administrative functions while realizing designated cost savings.

Director - Family Services, Catholic Children's Aid Society of Metropolitan Toronto

1986 - 1988

- Directed all protection, prevention, legal and volunteer services located at the Society's seven Branch offices within an annual budget of \$17 million;
- Through a team of nine senior managers, directed the activities of 280 front-line and supervisory staff;
- Brought senior service expertise to finance, planning, human resource, media and community based inter-agency initiatives;
- Acted on behalf of the Executive Director in his absence.

Service Director - City of Toronto, Children's Aid Society of Metropolitan Toronto

1985 - 1986

- Through a team of 16 supervisory and 120 front-line staff, carried responsibility for the delivery of all Child Welfare services within the City of Toronto;
- Team leader for operational review of all agency-wide Family Support Programs.

Service Director - City of North York Children's Aid Society of Metropolitan Toronto

1983 - 1985

- Through a team of 9 supervisory and 63 front-line staff, carried responsibility for the delivery of all Child Welfare services within the City of North York;
- Team leader for operational review of all agency-wide volunteer programs.

Manager - Admission Assessment Residences, Children's Aid Society of Metropolitan Toronto

1980 - 1982

- Through a team of 10 supervisory and 95 child care workers, provided residential assessment and treatment for adolescents throughout the City of Toronto.

Supervisor - Family & Children's Services Children's Aid Society of Metropolitan Toronto

1978 - 1980

- Supervised a team of 8 child welfare workers involved in the delivery of all aspects of the Child Welfare mandate including abuse, neglect, family conflict, foster parent support and community development work within the Westhill and surrounding area of Scarborough.
-

Youth Co-ordinator - Scarborough Branch Children's Aid Society of Metropolitan Toronto

1977

- Developed and supervised an Alternate Care Prevention Program for adolescents in the community as well as a Residential Independence Program for the older adolescent in-care population.

Children's Service Worker - Scarborough Branch, Children's Aid Society of Metropolitan Toronto 1976

- Carried a caseload of 30 children who were wards of the Society, placed in foster and group homes. Provided clinical interventions with individuals, families and groups.

Welfare Worker, Metro Toronto Community Services 1975

- Responsible for an active caseload of 40 families with an additional emergency caseload of 30 welfare recipients.

Child/Youth Mental Health Worker, Izaak Walton Killam Hospital for Children (Halifax, Nova Scotia) 1972 - 1974

- Child/youth work with children and youth ranging in age from 4 to 16 years old in a psychiatric unit. Provided intensive individual and group therapy in a structured psychiatric setting.

EDUCATION:

- 1972 Bachelor of Arts, Dalhousie University, Halifax, Nova Scotia
- 1974 Bachelor of Arts (Honours), Dalhousie University, Halifax, Nova Scotia
- 1976 Master of Social Work, University of Toronto, Toronto, Ontario
- Current Certificate in Business, University of Toronto, Toronto, Ontario

CONSULTATION, WORKSHOPS, TEACHING AND TRAINING:

- Direct consultation provided to various organizations and communities at a local, provincial, national and international level with a primary focus on Child Welfare program planning and implementation as well as strategic planning, change management and quality assurance.
- Training sessions and workshops have been delivered on various topics with emphasis in the areas of advocacy, interagency collaboration, governance, fundraising and emerging service issues such as child mortality, homeless and migrant children/youth and the socio-economic impact of child/youth poverty.
- As keynote speaker to annual meetings of several organizations and various conferences over the past decade, areas of ethnic and cultural diversity, shifting service paradigms and community partnerships have received particular attention.
- As president of the International Forum for Child Welfare, provided presentations and participated in various committees affiliated with United Nations Economic and Social Council as well as UNICEF with special emphasis on migrant children and youth.

- Engaged as an Adjunct Senior Lecturer at the Factor-Inwentash Faculty of Social Work, University of Toronto, teaching child welfare practice and policy for various semesters in 2002, 2004, 2007, and 2011 as well as guest lecturing on an occasional basis.
- Advanced training in human resource management, alternate dispute resolution, re-engineering, team building, diversity and emerging clinical work has been acquired.
- ADR training completed with Faculty of Law, University of Windsor (1999).
- Advanced Leadership Program completed at School of Business, Queen's University (2011).
- Appointed Adjunct Professor in the Factor Inwentash Faculty of Social Work (FIFSW) - (July 2012 – June 2015)

PROFESSIONAL AFFILIATIONS:

- Ontario Association of Professional Social Workers
- Canadian Association of Social Workers
- Ontario College of Certified Social Workers
- American Ortho Psychiatric Association Inc.
- Sparrow Lake Alliance
- Child Welfare League of Canada
- International Forum for Child Welfare
- Ontario Association for Developmental Disabilities

BOARD AND COMMITTEE MEMBERSHIP:

- 2015 - present – Member, Toronto Alliance to End Homelessness
- 2014 - present – Member, Special Needs Strategy, Ministry of Children and Youth Services
- 2009 - present – Special Advisor, International Forum for Child Welfare
- 2006 - 2009 – President, International Forum for Child Welfare
- 2002 - 2004 – Representative for North, South & Central America - International Forum for Child Welfare
- 2000 - 2003 – President - Child Welfare League of Canada
- 1993 - 1999 – Vice-President - Child Welfare League of Canada
- 1997 - Member, Child Mortality Task Force - Ontario Association of Children's Aid Societies
- 1997 - Member, Expert Panel - Metro Task Force on Services to Young Children & Families, The Municipality of Metropolitan Toronto
- 1996 - 2004 – Member, Expert Panel - Canadian Council on Social Development
- 1994 - 2000 – Chair, Toronto Best Practices - Community Systems Laidlaw Foundation
- 1993 - 2000 – Chair & Member - Metro Toronto Children's Services Coordinating Committee

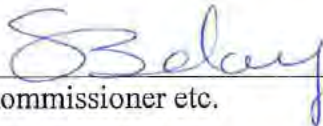
- 1990 - 1997 – Member, Standards Committee - Child Welfare League of America, Washington, D.C.
- 1990 - 1993 – Board Member - George Hull Children's Mental Health Centre
- 1989 - 2004 – Member, Advisory Committee - The Institute for the Study of Anti-Social and Violent Behaviour in Youth
- 1989 - 1997 – Member, Steering Committee - Sparrow Lake Alliance, Joint Ministry of Community & Social Services/Ministry of Health Professional Community Initiative
- 1988 - 2001 – Vice-President & Board Member - The Toronto Child Abuse Centre
- 1988 - 1994 – Board Member/Chairman of the Program Committee - Outward Bound Ontario
- 1987 - 1989 – Board Member - C.M. Hincks Children's Mental Health Treatment Centre
- 1985 - 1989 – Board Member/Treasurer, Executive Committee – Ontario Association of Professional Social Workers (Metropolitan Toronto)
- 1984 - 1988 – Board Member - Central Toronto Youth Services
- 1983 - 1985 – Board member - North York Inter-Agency Council
- 1981 - 1982 – Member of the Program Committee - Youthdale Crisis Service
- 1978 - 1980 – Board Member - Social Planning Council for the City of Scarborough

OTHER:

- 2016 – Witness, Coroner's Inquest into the Death of Katelynn Sampson, Province of Ontario.
- 2015/16 – Member, Expert Advisory Panel on Homelessness, Province of Ontario.
- 2014 - Expert Witness and Consultant, Coroner's Inquest into the death of Jeffery Baldwin, Province of Ontario.
- 2012/13 – Member of Youth Leaving Care Working Group, Ministry of Children and Youth Services, Province of Ontario.
- 2012 – Provided an Affidavit for the Commission of Inquiry into the Circumstances Surrounding the Death of Phoenix Sinclair, Province of Manitoba.
- 2011 – Sessional Instructor for Policy & Practice, 2nd year Master of Social Work Program, Factor-Inwentash Faculty of Social Work, University of Toronto.
- 2009 – Member of the Expert Panel, Review of Child and Youth Advocacy in Alberta, for the Government of Alberta, Canada.
- 2008 – Consultant with the Ministry of Children and Youth Services, Province of Alberta. Chair of two Special Case Reviews for child deaths and provided recommendations.
- 2007 – Canadian Delegate as part of Ontario-Pakistan partnership to undertake a needs analysis of an orphanage and developmental services program in Islamabad, Pakistan.
- 2005 – Ontario Delegate and presenter at the International Forum on Best Practices on Child Welfare, Buenos Aires, Argentina.

- 2002 & 2004 – Co-taught 1st and 2nd year MSW students in the area of Child Welfare – Policy & Clinical Knowledge for Practice, Factor-Inwentash Faculty of Social Work, University of Toronto.
- 1997 - 2001 – Spearheaded the preparation for several Coroner's Inquests and provided testimony to the proceedings on behalf of the Children's Aid Society of Metropolitan Toronto.
- 2001 – Canadian delegate to Preparatory and Final Sessions of the United Nation World Summit on Children in New York City.
- 2000 – Member of a 7 person delegation sponsored by the Child Welfare League of America which worked in Colombia to promote improved policy and practice in the areas of drug treatment, child prostitution and abuse investigation.
- 1999 – Member of a 10 person delegation sponsored by the Child Welfare League of America which worked in mainland China to promote foster care and improved international adoption practice.
- 1999 – Co-investigator and consultant undertaking a review of all Child Protection and related programs for the Government of Prince Edward Island.
- 1998 – Keynote, Canadian Studies Program, Hokusei University, Sapporo, Japan.
 - Prepared and delivered a paper on "Child Welfare in Canada" through sponsorship of Canadian Embassy, Tokyo.
- 1989 - 1991 – National Chairman, Conference Steering Committee Canada's Children: The Priority for the 90's - Child Welfare League of Canada.
 - A national working symposium which attracted over 500 people including youth, policy makers, service providers, aboriginal people, administrators and parents.

This is **Exhibit "B"** referred to
in the Affidavit of Bruce Rivers,
sworn on this 10th day of June,
2016.


A Commissioner etc.

Senayit Belay,
a Commissioner, etc., Province of
Ontario, while a Student-at-Law.
Expires January 14, 2019.

Criminal Injuries Compensation

and

**The Children's Aid Society
of Metropolitan Toronto**

M A N U A L

JANUARY 1997

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INTRODUCTION

The Criminal Injuries Compensation Board is an initiative of our government to compensate victims of crimes through monetary awards and financial support. Physical abuse, sexual abuse, and neglect are compensable crimes, even when police have not laid charges because of lack of concrete evidence or the inability of a child to be a credible witness. The board operates on a "balance of probabilities" in deciding that a crime has occurred.

Criminal Injuries awards are important for our children for many reasons. The recognition of the pain and suffering of a victim, and the acknowledgement of their victimization, through compensation can have a significant healing effect. Many of our youth have experienced losses in their lives as a result of the abuse. An award can assist these youth as they leave our care and live independent of financial resources available in families. It can also pay for therapy in adulthood, for education or job training, or for the purchase of material things needed for self-sufficiency.

The process of application is often not known to the social worker, so that very few applications are submitted on behalf of youth served by Children's Aid Societies. The process can be lengthy and time-consuming. It is, however, manageable if done in a systematic way, following each step to completion. Over a period of time, the work of the social worker is completed, and only minimal follow-up and communication with the CICB are needed. As well, the CICB is a very personal, customer oriented service which can be accessed for ongoing assistance.

This manual is an attempt to familiarize workers with all aspects of the Criminal Injuries Compensation process and to provide a clear outline of the steps to the completion of applications.

Using This Manual

This manual has been developed to assist workers of the Children's Aid Society in completing Criminal Injuries Compensation Board applications for youth who qualify.

The **Quick Guide to the Criminal Injuries Compensation Process** is a six-step format that can be easily followed. In the left column of each step are cross-references to more detailed material in the manual. The appendices of the manual provide additional information and useful forms to assist with each step. The appendices are numbered according to the step numbers in the **Quick Guide**.

QUICK GUIDE

QUICK GUIDE TO THE CRIMINAL INJURIES COMPENSATION PROCESS

The following guide has been prepared as an introduction to preparing applications for criminal injuries compensation on behalf of clients of the CASMT. It is a companion document to the CAS CICB Manual, which is available in all branches.

☼ In the left column of this guide are provided some cross-references to more detailed explanations in the appendices of the Manual.

STEP	DETAILED PROCESS
<p>1. Determine eligibility Request an application</p> <p>*****</p> <p><i>CICB FAX intake form (to request an application)</i> <i>Requesting an application by telephone</i> <i>Eligibility criteria</i> <i>CICB Information Booklet: A Guide to Applicants</i> <i>Application checklist</i> <i>CICB timeline information</i> *****</p>	<p>As soon as a worker has become aware of the abuse:</p> <p>(a) Clarify eligibility and request an application form. This can be done by fax; there is a form in Appendix 1 of the manual.</p> <p>Telephone: (416) 326-2900 Toll Free: 1-800-372-7463 Fax: (416) 326-2883</p> <p>In general, when a child is alleged to be a victim of a crime, the child is eligible for compensation from the Criminal Injuries Compensation Board (CICB). It is not necessary that a charge be laid; the Board's decision will ultimately be based on the "balance of probabilities" that a crime was committed against the child.</p> <p>Crimes that are compensable include, but are not limited to:</p> <ul style="list-style-type: none"> • physical abuse • sexual abuse/assault • neglect (failure to provide the necessities of life) <p>CICB will need the following information:</p> <p>Victim's name Date of birth Type and place of assault Date of assault Police division number if applicable</p> <p>If this information is unavailable, consult with the CICB for direction.</p> <p>(b) Receive <u>bar-coded</u> application form and additional forms from CICB.</p> <p>(c) Photocopy the application to use as a rough copy.</p>
<p>2. Initiate file</p> <p>*****</p> <p><i>Submission file checklist</i> *****</p>	<p>(a) Create a separate file folder.</p> <p>(b) Attach a CICB submission file checklist to the inside of this folder.</p> <p>(c) Keep this folder with the family file, but transfer the file to the child's file if the child comes into care.</p>

<p>3. Complete application form</p> <p>*****</p> <p><i>Sample application form with clarifying instructions</i> <i>Information on signing authority</i></p> <p>*****</p>	<p>(a) Begin to complete the application form with the information you have readily available.</p> <p>(b) Do not leave any fields blank. If the field is not applicable write N/A. If the information is not available or unknown indicate so in the field provided.</p>
<p>4. Gather supporting documentation</p> <p>*****</p> <p><i>Release criteria</i> <i>Sample release form</i> <i>Sample cover letters requesting release of information</i> <i>Sample impact statements (worker and victim)</i> <i>Criteria for impact statements</i></p> <p>*****</p>	<p>The task now is to support the application with documentary evidence to assist the CICB in their assessment of the claim.</p> <p>(a) Make photocopies of any documents already available in the child/family file that: support the allegation of a crime, e.g.,</p> <ul style="list-style-type: none"> Medical reports Police reports Photographs of injuries Worker reports/statements Disclosure from child Abuse report Et cetera <p>(b) Make photocopies of any documents that support the impact of the crime, e.g., :</p> <ul style="list-style-type: none"> Psychological / Psychiatric evaluations Medical reports Play therapy reports School reports Worker reports/statements Statements from the child regarding the abuse <p>(c) Request statements from individuals who can address issues relevant to the impact of the incident on the child, e.g., foster parent, worker, teacher, volunteer, physician.</p> <p>Note: Once you have requested a release make sure you make a note of it on the CICB Submission File Checklist.</p> <p>(d) Obtain releases, which are necessary to incorporate supporting documents into the submission. (See the <i>Manual</i> for release criteria; sample release forms; and sample cover letters.)</p> <p>Note: Retain these documents in the CICB file.</p>

<p>5. Complete the submission</p> <p>*****</p> <p><i>Sample detailed submission cover letter</i> <i>Sample cover letter to accompany detailed case outline</i> <i>Sample detailed case outline</i></p> <p>*****</p>	<p>(a) Ensure that your completed submission includes the following documents:</p> <ol style="list-style-type: none"> 1. Cover letter In more complex situations, it may be useful to include a more detailed outline of the victim's history. 2. Completed application form Note: An application form is considered complete when: <ol style="list-style-type: none"> (i) it is signed, and (ii) all the fields have been filled in with information or N/A 3. Supporting documentation gathered in step 5: <ul style="list-style-type: none"> Reports Records Worker's statements/assessment Victim impact statement <p>(b) Once the complete submission has been compiled make a photocopy and retain it in the CICB file prepared in Step 2.</p> <p>(c) Mail the submission to: Criminal Injuries Compensation Board 439 University Avenue, Fourth Floor Toronto, Ontario M5G 1Y8</p>
<p>6. Follow-up</p> <p>*****</p> <p><i>Sample Board decisions</i> <i>Information on the CICB hearing process</i> <i>CICB Questionnaire</i> <i>Collecting an award</i></p> <p>*****</p>	<p>(a) Promptly respond in writing to any requests from CICB for further information.</p> <p>(b) When the CICB has all the information that they require, they will send the CAS a CICB questionnaire. Complete and return this questionnaire to the CICB immediately. Use this form to recap for the Board the important issues you want them to consider in their assessment of the submission. Failure to return this form promptly will result in closure of the file. Upon receipt of the completed questionnaire, the CICB will put the case on the hearing list.</p> <p>(c) After the hearing, the CICB will notify us of their decision. A copy of the notice of award should be placed in the child's file and also a copy should be sent to the Accounting Department if the child is in our care.</p> <p>Note: Further information about awards can be obtained from the Attorney General's office.</p>

CRIMINAL INJURIES COMPENSATION

The Criminal Injuries Compensation Board

The Criminal Injuries Compensation Board¹, established in 1971, is a quasi-judicial administrative tribunal whose primary purpose is to compensate victims of crimes of violence. Crimes of violence include assault, sexual assault, incest, murder, attempted murder, and arson. Criminal Injuries Compensation is a program of the Government of Ontario, Ministry of the Attorney General.

Board members are appointed for specific terms. They may include lawyers, accountants, teachers, professors, social workers, psychologists, members of various ethnic communities, and other members of the general public.

Pain and suffering

Section 1(1)(d) of *The Compensation for Victims of Crime Act* states that "injury means actual bodily harm and includes pregnancy and mental or nervous shock, and injured has a corresponding meaning. . ." Mental or nervous shock "must constitute genuine emotional disorder or psychoneurosis. . . appropriately documented. . ."

Criteria for compensation

A conviction of a criminal offence (or even a charge) is not necessary in order to apply to the Board to compensate a victim of a crime of violence. The decision of the Board is ultimately based on the "balance of probabilities" [whereas in a court proceeding the decision is rendered on the basis of "beyond a reasonable doubt"].

If there has been police involvement, the Investigations Unit (of the Criminal Injuries Compensation Board) will attempt to have either the arresting officer or the investigating officer complete a police questionnaire.

If there is a single offence perpetrated by more than one person, only one application should be submitted. If the offence is perpetrated more than once but by only one person or by the same people, only one application should be submitted. However, if a child is the victim of several offences, each by a different person, an application should be made for each different offence.

Documentation

Supporting or independent documentation may include: hospital or medical records; police reports; reports from psychologists and/or psychiatrists; reports from a counsellor or therapist; reports from the Children's Aid Society, school reports.

Hearings

An application to the Board is initially assessed by a compensation analyst and, if the file appears to be complete, it is then added to the documentary hearing list. The Board's decision may be made by one member or by more than one member. There are two types of hearings, the documentary hearing and the oral hearing. The majority of applications are reviewed and decided upon in a *documentary hearing*. The victim (or the victim's representative) is not present, and the decision of the Board member(s) is made on the basis of the documentary evidence.

¹ The Board is governed by both *The Compensation for Victims of Crime Act*, R.S.O. 1990, c. 24, and the *Statutory Powers Procedure Act*. (A2)

An *oral hearing*, usually in front of three members, may be held (a) if the applicant requests one, (b) if the Board needs some clarification of the circumstances, or (c) if the applicant appeals a documentary decision. After a documentary hearing or an oral hearing, the applicant receives a copy of the Board Order, which details the findings and decision of the Board member(s).

Offender awareness

The Board is obliged to notify the offender or alleged offender (unless this person is in jail) that an application has been undertaken with respect to an incident involving the offender. (A2) The victim does not have any direct contact with the perpetrator, but will be informed of the perpetrator's comments and will have an opportunity to address them.

Awards

Awards to child victims include lump sum awards for pain and suffering, as well as paying for therapy costs not covered by OHIP. The awards for minors are usually paid to the Accountant of the Ontario Court, and the funds are held in trust [in an interest-bearing account] until the child attains the age of majority, or in some cases until a later age if the Board considers it appropriate in the circumstances.

An award may be a lump sum payment or a series of periodic payments. The maximum award for a lump sum payment is \$25,000. For periodic payments, the maximum individual payment is \$1000 a month. [Awards up to \$25,000 for pain and suffering have no effect on social assistance benefits.]

Late filing

The Board has ruled that the one-year limitation period for bringing an application does not apply to minors until they have attained the age of 18. If a person has been the victim of a crime of violence in which the incident occurred more than one year ago from the date an application is being filed, and the victim is over 18 years old, an "Extension of Limitation of Time Period" must be granted in order for the victim to file the application. To be granted this extension, a victim must have a "Reason for Late Filing" form [see Appendix 4 (a)] completed and attached to the application. The incidents may have occurred in the person's childhood and may have been ongoing for a period of time.

Response time

If the case is thoroughly researched initially and a complete and convincing package is submitted to the Board, a decision may be made within a few months, but if the case is very complex and requires extensive research and/or if additional information has to be supplied, it can take up to two years from the beginning of the research to the notification of approval of the claim. It is important not to become discouraged with what may seem to be slow progress on an application, and it is especially important when a youth is aware of the application to ensure that he or she does not become discouraged.

Appeals

A victim may appeal the Board's decision (1) if the application is rejected, i.e., no award is granted, or (2) if it is felt that an award is not large enough. Also, a victim may go back to the Board at a later date and request a change to the award if new evidence becomes available or if the victim's medical/psychological condition warrants it, i.e., additional medical or psychological conditions which can be directly related to the abuse appear.

The Children's Aid Society and the Criminal Injuries Compensation Board

The Child and Family Services Act 1984 includes as a function of a children's aid society "to provide care for children assigned or committed to its care under this Act" [C.15(3)(d)]. Crown wards are wards of the provincial government for whom the children's aid societies act as the direct service agent or guardian. A high percentage of the crown wards of the Children's Aid Society have been or are suspected to have been physically and/or sexually abused.

Under *The Compensation for Victims of Crime Act*, victims of criminal acts can apply for compensation from the provincial government for their pain and suffering. Many of our crown wards are eligible to apply for such compensation, and because they are minors it is our responsibility to act on their behalf. [The Official Guardian no longer acts for these children in this respect.] For children in their own homes, the CAS worker can assist the parents with the application, if necessary.

Criminal Injuries Compensation Submissions from CAS Branches

A CAS criminal injuries compensation case may fall into any of several categories, and each type of situation is handled differently, as indicated in the table below.

Case category		Who prepares the submission
1	An adult former ward of the CAS who wishes to submit an application	The individual (victim) submits the application. The CAS provides information from files.
2	A minor living with his/her natural parents (with some CAS involvement)	A parent is the applicant..
3	A youth under the age of 18 living in CAS care on a temporary or voluntary basis	The CAS submits the application. Parents should be informed. If the child returns home, the applicant information may be changed to the parent.
4	A child who is a Crown Ward	The child's worker submits the application.

With the first two categories, the worker will provide whatever assistance is considered appropriate. A child's worker will be responsible for initiating a submission in the third and fourth categories (i.e., when the child is in our care).

As soon as a worker becomes aware or suspects that a child/client has been or is a victim of abuse, he or she should immediately begin collecting a file of the material that will be required for a submission.

A child over the age of 12 should be informed that an application is being submitted on their behalf. Over the age of the 18, a youth should submit their own application although correspondence with the board may be done through the worker or agency.

THE PROCESS

Eligibility

It may be the intake worker, the family service worker, the child's worker, or even a foster parent, a teacher, or a volunteer or other outside person who is the first person made aware of the abuse. The child's worker (or the family service worker) must be made aware of the abuse at this time.

As soon as the responsible worker has become aware of the abuse, he or she should determine whether or not the child is eligible. Crimes that are compensable include, but are not limited to, physical abuse, sexual abuse/assault, and neglect (failure to provide the necessities of life).

In general, when a child is alleged to be a victim of a crime, the child is eligible for compensation from the Criminal Injuries Compensation Board (CICB). It is not necessary that a charge be laid; the Board's decision will ultimately be based on the "**balance of probabilities**" that a crime was committed against the child.

If there is difficulty in determining whether or not a child is eligible for compensation, the worker should check with the CICB at:

Telephone: (416) 326-2900
Toll Free: 1-800-372-7463
Fax: (416) 326-2883

Gathering Information

The first step in the process is to obtain an application form from the CICB. When you contact the CICB, Client Services Department, at (416) 326-2900, you will be asked to provide some basic information, including the child's name, the type of assault, The CICB will then send you a bar-coded application form; the bar code represents the CICB file number.

A separate file folder for materials related to the CIC submission should be set up as part of the child's file or the family file. (Should the CIC case be initiated while there is just a family file and the child subsequently comes into care, this folder should then be transferred to the child's file.) Attach a CICB Submission File Checklist to the inside of this folder (see Appendix A2 for a sample).

Upon receiving the bar-coded application form, the worker should complete as many sections as possible. These sections will usually be:

1. Type of injury
2. Victim information
3. Alleged offender information
4. Particulars of the incident
5. Details (a summary of the incident for which we are making application)
6. Applicable only if the victim is the parent
7. Particulars of the police report
8. Applicant on behalf of victim
 (If the victim is under the age of eighteen, the CAS or the parent is the applicant.)

If the field is not applicable, write N/A in the answer space. If the information is not available or is unknown, indicate this in the specific field. Completing the application upon receipt will help to determine what additional information and what documents are necessary for a complete submission.

The submission should include:

(1) Any information which indicates that a crime has, in fact, been committed:

- Information about any related police investigation [name(s) of the officer(s), date of the investigation, an explanation of why charges were not laid]
- Medical records [formal records or letter(s) from doctor(s) regarding the nature of the injuries]
- Pictures of the injuries; relevant newspaper articles
- A statement from the social worker indicating his or her assessment of the impact of the crime on the child
- A statement from the victim about the impact of the crime on his or her life

(2) Any information which helps to assess the impact of the crime on the child.

Make photocopies of any relevant documents already available in the child/family file that support the allegation of a crime, e.g.,

- Medical reports
- Police reports
- Photographs of injuries
- Worker reports/statements
- Disclosure from child
- Abuse report
- Et cetera

Retain all these copies in the CIC submission file.

Request statements from individuals who can address issues relevant to the impact of the incident on the child, e.g., foster parent, worker, teacher, volunteer, physician.

Drafting the Submission

There is no single format for the submission to the Board. It may be a lengthy letter which summarizes the case and references the attachments which accompany the letter. This approach may be most appropriate where a single incident is the reason for the application. For a more complex, long-term abusive situation, it may be more useful to provide a very brief letter making the request, accompanied by a detailed outline of the case organized under headings appropriate to the case [e.g., the child's history, the sequence of interventions, a description of the abuse, the child's current situation and condition, and the child's anticipated future condition and needs], with any necessary reports and records included as attachments.

The case worker's letter/assessment: It is important that we clarify for the board member who is assessing the claim the impact the abuse has had on the life of the child or youth. The worker's assessment letter can help to do this; it should include the worker's opinion regarding the present effects and the potential long-term effects of the abuse on the child and the need for treatment. This assessment can include information from other significant persons in the child's life, such as foster parents, relatives, group home workers, and teachers. Reference can be made to the child's behaviours which are commonly associated with victims of abuse. The child may also be interviewed, but must know the reason for the questioning; great care should be taken to be and to appear to be nonjudgemental. As workers become more familiar with the process, they find it easier to question a victim about the abuse, and to suggest to older youth that an application should be submitted by the agency on their behalf. A sample worker's statement is included in this manual.

The victim impact statement: It also helps the Board member to understand the impact of the abuse if the youth can describe it in his or her own words. Some children may be too emotionally distressed or too developmentally delayed to be able to prepare their own statements, but in many cases, especially where older youth are concerned, a personal statement should be prepared by the victim, outlining his or her feelings about the abuse and describing the effect it has had on him or her. The appendices suggest many points which the child might include in his or her statement, and a sample victim's statement is included.

Getting Releases

Internal CAS reports, including those of the Society's psychologist, can be used without requesting specific permission. Reports from Surrey Place, from medical practitioners, including psychiatrists, from outside psychologists, etc., require that permission be received before including the desired report.

Forms for requesting this permission have been designed (see Appendices). As soon as it is realized that certain reports should be included, permission should be requested, since obtaining releases can take some time. When requesting and receiving releases, be sure to note the dates on the CICB Submission File Checklist.

Finalizing the Submission

When all the releases have been received, the final package can be put together. It will include a completed application form, a detailed letter or a cover letter and a case outline, a worker's assessment of the impact of the crime on the child, a victim impact statement if it is possible to obtain one, and any medical, psychological, and educational statements released. (See appendices for samples and outlines.)

When material is requested from the Board after the initial submission, it is important that a timely response be given to avoid having the case closed (usually four months after their request). Sending additional information by FAX is acceptable.

When the application has been submitted, a follow-up check with the Board should be made about every three months to determine the status of the case.

Follow-up

Responding promptly in writing to any requests from the CICB for further information will avoid delays in the processing of a claim. The CICB will eventually close a file if requested information is not received.

When the CICB has all the information they require, they will send the CAS a CICB questionnaire. Complete and return this questionnaire to the CICB **immediately**. Use this form to recap for the Board the important issues you want them to consider in their assessment of the submission. **Failure to return this form promptly will result in closure of the file.** Upon receipt of the completed questionnaire, the CICB will put the case on the hearing list.

After the hearing, the CICB will notify the CAS of their decision. A copy of the Board Order, or notice of award, should be placed in the child's file, and also, if the child is in our care, a copy should be sent to the Accounting Department.

APPENDICES

1	Eligibility and Application Form	14
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APPLICATION

APPENDIX 1**ELIGIBILITY AND APPLICATION FORM**

- (a) **CICB FAX intake form**
- (b) **Requesting an application by telephone**
- (c) **Eligibility criteria**
- (d) **Criminal Injuries Compensation Board Information Booklet (A Guide to Applicants)**
- (e) **Application checklist**
- (f) **CICB timeline information**

Appendix 1 (a)
CICB FAX Intake Form



DATE:

TO: Criminal Injuries Compensation Board
 Customer Services

FAX: 416 - 326 - 2883

FROM:

PHONE: 416 - 924 - 4646 Ext.

FAX:

Number of pages:

Please send me an application form.

APPLICANT

VICTIM

Address

DOB **Male** () **Female** ()

Have you applied to the Board before?

Yes () **File #**

No ()

Place of occurrence (City or town)

Date of last incident

Type of incident: Assault () Sexual assault () Death () Motor vehicle ()

Was medical treatment received? Yes () No ()

Was police service involved? Yes () No () **Division**

Comments

Appendix 1 (b)

TELEPHONE APPLICATION REQUEST CHECKLIST

When requesting an application form, you will need the following information prior to telephoning the Criminal Injuries Compensation Board:

- Child's name
- Date of birth
- Type of assault
- Date of incident or of police investigation
- Police division

If the parent will be the applicant, have the parent's name, birth date, and address ready.

Request a **separate application** for **each child** and **each incident** that is being applied for.

Do not hesitate to call the Criminal Injuries Compensation Board for direction if the information is not available. The telephone number is **(416) 326-2900**.

Appendix 1 (c)

ELIGIBILITY CRITERIA
for
CRIMINAL INJURIES COMPENSATION

Any individual who considers himself or herself to be a **victim of a crime that was committed in Ontario** may request an application form. If the victim is under the age of 18, the parent or guardian may make the application on behalf of the victim.

The Criminal Injuries Compensation Board is a quasi-judicial administrative tribunal whose primary purpose is to compensate victims of crimes of violence. The Board's decisions are based on "a balance of probabilities." This means that the Board needs to know that there is reasonable evidence that a crime was committed to support the application. It does not need to know "beyond a shadow of a doubt" that a crime happened. Ideally, a **police investigation** will have been conducted, but it not necessary that a charge be laid. **Medical evidence** and **written disclosures** are also helpful in supporting a claim when there are no charges laid or the perpetrator is found (not guilty) innocent at trial. The CICB is interested in information about why a charge may not have been laid, and gives credibility to the CAS when they report on disclosures or speculate on investigations.

Application should be made within one year of the crime. However, in the case of delayed disclosure when the victim is a child, the Board will extend its time limit. The application can be made until the youth is 19 without an extension being needed.

The Board requests **information about the perpetrator** of the crime, and will make a reasonable effort to notify that person that he or she has been named as such in an application. The Board protects the anonymity of the victim and does not allow any contact to occur. The Board is interested in protecting the rights of persons wrongly accused by allowing them to speak to any charges. The process is also helpful in minimizing the chances of fraudulent claims being made.

If there are any questions about the eligibility of a case, the CICB should be contacted for direction. This can be done by calling:

CICB Customer Services (416) 326-2872

Appendix 1 (d)

CRIMINAL INJURIES COMPENSATION BOARD
INFORMATION BOOKLET
(A Guide to Applicants)

CRIMINAL INJURIES COMPENSATION BOARD

INFORMATION BOOKLET
(A GUIDE TO APPLICANTS)

This booklet has been compiled and approved for distribution
by the Criminal Injuries Compensation Board.

NOVEMBER 8, 1996

PLEASE READ THIS INFORMATION BOOKLET CAREFULLY
***BEFORE* COMPLETING THE APPLICATION FORM.**

INTRODUCTION

The attached application is to be completed in full **and printed**, preferably in dark ink. Please submit your completed application to the following address:

Criminal Injuries Compensation Board

439 University Avenue, 4th Floor

Toronto, Ontario

M5G 1Y8

PHONE: (416) 326-2900

TOLL-FREE: 1-800-372-7463

FAX: (416) 326-2883

If your application is accepted you will receive information from the Compensation Analyst assigned to your file. **PLEASE ADVISE THE BOARD IMMEDIATELY OF ANY CHANGES IN ADDRESSES AND TELEPHONE NUMBERS.**

SUPPORTING DOCUMENTATION

Victims and/or their representatives are responsible for providing the Board with all documentary evidence in support of their claim. This includes all hospital, medical, dental and therapy reports. **PLEASE BE ADVISED THAT THE BOARD WILL NOT ORDINARILY REIMBURSE ANY COSTS INCURRED IN OBTAINING THESE REPORTS.**

If the required supporting documentation is not submitted, the Board will NOT be in a position to properly adjudicate the claim for compensation.

CRIMINAL INJURIES THAT OCCURRED WHILE AT WORK

If you were injured in the course of your employment, please direct your claim for loss of income, overtime and/or out-of-pocket expenses to the Workers' Compensation Board (WCB). The Criminal Injuries Compensation Board no longer compensates for this portion of a claim. **Your claim will be for pain and suffering only. Any decision from the WCB in regard to Non-Economic Loss (NEL) and Future Economic Loss (FEL) benefits must be forwarded to the Board.**

LOSS OF INCOME

With respect to income loss, the Board will generally only compensate a victim who was employed at the time of the incident and was unable to work after the incident due to total disability. This is to be supported by an Employer Statement and/or copies of Income Tax Returns from Revenue Canada.

In calculating pecuniary losses sustained under Section 7(1)(b) of the Compensation for Victims of Crime Act, R.S.O. 1990, c.24, the Board shall, without limiting its discretion, generally multiply the number of usual working days contained in the period of disability (to a maximum of 5 days per week and 20 days per month) by the amount of \$50.00 and will subtract from that sum any employment-related benefits, indemnity or compensation paid or payable pertaining to that period or any income received or to be received from alternative employment for that period.

INTERIM COMPENSATION

A request for interim payments can be made under Section 14 of the Compensation for Victims of Crime Act. The documentary evidence must support the claim that the injury was sustained as a direct result of the crime. If there is not sufficient evidence to ascertain whether a criminal act has occurred, interim compensation will be denied and the matter referred to a hearing.

The victim must show 'actual financial need'. In doing so, the victim is required to complete a Financial Form. The form should be submitted in its entirety along with the requested supporting documentation before Section 14(a) will be considered.

The Board must also be of the opinion that Section 14(b) of the Act is satisfied. In order to qualify for interim compensation, the file must include evidence that will enable the Board to assume that compensation "will probably be made" in accordance with the Act. Factors such as police involvement and supporting evidence that links the injuries to the occurrence, will be taken into consideration by the Board.

Please contact the Board and request a Section 14 Package if you feel you meet the criteria.

EXTENSION FORM RULES

If you are completing an application where the incident took place over one year ago, it is necessary for you to complete an extension form. *The only exception to this rule is where the victim is a minor, in which case, he/she has until his/her 19th birthday to submit the application, without having to complete an extension form.*

It is important for the victim to submit as much supporting documentation as possible when applying for an extension. The Board's decision will be based on whether the delay in filing hinders the Board's ability to properly adjudicate your claim, in that the evidence required is unlikely to be available. If corroborating evidence is not likely to be available then the Board is prejudiced and the extension will be denied.

The most useful evidence to some degree is police involvement. It is especially useful in cases of historical abuse, if medical, hospital or other professional reports are also available dating back from the time of the occurrence.

If your application is accepted, a compensation analyst will be assigned to your file. If your extension is denied a letter will be sent to you advising of such. Decisions in regard to extensions are at the discretion of the Board.

MINORS (VICTIMS UNDER THE AGE OF 18)

If you are under the age of 18 years, you must have a parent, legal guardian, or any other responsible adult complete Section 08 of the Application Form.

VICTIM IS INCAPACITATED

If the victim is unable to complete the application as a result of severe trauma injuries, and/or some other reason, an applicant over the age of 18 must complete Section 08 of the Application Form on behalf of the victim.

MULTIPLE APPLICANTS (CHILDREN'S AID SOCIETY & OTHER AGENCIES)

If you are completing numerous applications on behalf of children who may be wards of your organization, it is not necessary to indicate all applications under Section 08(b) of the Application Form. Only claims which may be related should be indicated.

RELATED APPLICATIONS

Applications are deemed related when:

- there are several victims who have been involved in the same incident at the hands of the same offender(s); *or*
- the same victim has been involved in a number of separate incidents at the hands of the same or different offenders.

Related files are, where practicable, heard by the same panel.

EXPENSES

Please attach all ORIGINAL RECEIPTS for expenses to your application. The Board will not consider reimbursement of expenses unless the original receipts are submitted. (NO PHOTOCOPIES PLEASE). **The following expenses will NOT be compensated.**

1. Loss of, or damage to property or personal items. (i.e. ripped clothes, stolen jewellery, wallets etc.)
2. Loss of money.
3. Expenses incurred to attend court.
4. Charges covered by OHIP or paid for by any other sources.

TRAVEL EXPENSES

The Board reimburses expenses relating to the victim's travel only where it is required for treatment. Travel expenses incurred for the purpose of attending a lawyer's office or court, as a result of dealing with the criminal justice system, are not covered.

Travel expenses are covered where it is necessary to seek treatment out of town (usually in excess of 150 kilometres round-trip); food and hotel expenses are not covered, nor are parking expenses. The victim must submit a letter from the practitioner indicating the dates of treatment and confirming that treatment related directly to the incident. Where compensation for gas expenditure is sought, the victim must indicate the mileage in kilometres. For bus and train expenses, the original receipt must be submitted.

THERAPY EXPENSES

If the victim is attending therapy as a direct result of his/her injuries, the Board generally may consider covering the cost of therapy sessions to a maximum of \$5,000.00 per applicant. However, unless the Board authorized the victim and chosen therapist, **in writing**, to proceed with therapy, the Board is not obligated to cover the expenses incurred. An information package that outlines procedures and policies relating to therapy is available from the Board.

DENTAL EXPENSES

The Board may consider covering the cost of dental treatment required to repair damage to teeth as a result of injuries arising from the criminal incident. The Board will only cover expenses to bring the victim's teeth to the pre-injury condition. Furthermore, the Board, in its discretion, may not cover the entire cost of dental treatment but may instead, **in writing**, authorize a lump sum contribution.

PROSTHESIS

In cases where the victim requires a prosthesis as a result of the injuries, (i.e. artificial limbs, eye prosthesis, eyeglasses and dentures), the Board may set a limit to the amount of compensation awarded for adjustments, cleaning etc. Once this limit is reached the Board is no longer obligated to cover these expenses.

DECEASED CLAIMS

Where the victim has died as a result of the injuries from a criminal act, the application must be completed by someone over the age of 18 at Section 08 of the Application Form.

SECTION 06 OF APPLICATION - DEPENDANTS

This section is completed for deceased claims only, except in cases where the victim has become disabled and unable to return to his or her full-time employment. A "dependant" includes the following:

- (a) the spouse of the victim.
- (b) a parent of the victim, including a grandparent and a person who has demonstrated a settled intention to treat the victim as a child of his/her family, but does not include a person whose home the victim was placed as a foster child for consideration by a person having lawful custody.
- (c) a child of the victim
- (d) a brother or sister of the victim

- (e) any other relative of the victim who was in whole or in part dependant on the victim for support at the time of his/her death.

FUNERAL EXPENSES

The Board covers funeral expenses up to a maximum of \$4,000.00. That sum includes any of the following:

- services of Funeral Director
- services of clergyman
- casket
- cemetery plot
- grave marker
- notices in newspapers
- death and birth certificates

In addition, reasonable expenses over and above \$4,000.00 could be paid for the following:

- transportation of the body or ashes up to a maximum of \$500.00;
- time off work (maximum two weeks) and transportation costs within Canada for a mother or father re: death of a child, or for children re: death of a mother or father;
- time off work (maximum 3 days) and transportation costs within Canada for the person who is required to make funeral arrangements when no member of the immediate family is available.

The Board **does not pay** for the following expenses:

- cards of thanks and postage
- flowers
- food
- cars and police escorts
- clothes for relatives or for the deceased victim
- legal fees for settling the estate
- accounting fees for settling the estate

The Board's usual practice in regard to deceased claims, is to award for **expenses only**. In order for the Board to award pain & suffering in deceased applications, the applicant must meet the criteria as outlined in the following policy in regard to mental and nervous shock.

NERVOUS SHOCK INFORMATION

The Board follows the common law as expounded by the courts in determining whether the injury nervous shock has been sustained.

It is recognized that the courts do not make awards for nervous shock as a result of being told about a violent occurrence. The person must be a part of the scene or come upon the scene of the crime. The scene must be of such a violent nature as would normally give rise to such a serious injury in a reasonable person. The person's reaction to this violence must go beyond what would normally be expected in the particular circumstances of the occurrence.

What is compensable is the shock of being a part of the occurrence. This does not include the trauma of dealing with the media, legal processes and court appearances, the trauma of adjusting to a new life nor the stress of financial difficulties. **Grief and sorrow are not in themselves nervous shock and thus not compensable.**

The Board and the courts look for evidence of a lasting disorder of mind or body. This identifiable mental disorder is often characterized by significant and prolonged treatment and frequent hospitalization. Psychiatric treatment would normally be required and the Board requires psychiatric evidence to establish the injury, nervous shock. However, medical evidence alone will not determine nervous shock since nervous shock is a legal question, not a medical diagnosis.
(June 1995)

LEGAL REPRESENTATION AND LEGAL COSTS

It is not essential to have a lawyer representing you, but it may be prudent to do so if your claim is complex.

The Board considers the relationship between a victim and his/her solicitor to be personal. The

Board does not compensate for legal fees and disbursements incurred as a result of legal representation for this application or any other process. (i.e. civil proceedings, criminal proceedings etc.)

Generally, the Board will not pay out an award to anyone other than the victim unless specifically directed by the victim to do so.

FILE PROCESS

In order for a file to proceed the victim MUST provide the Board with the results (if any) of the criminal trial.

Once any investigative work is finalized, and the Compensation Analyst determines the processing of your application is complete, a recommendation will be sent to you in writing as to the type of hearing.

A **Documentary Hearing** is a hearing where you DO NOT ATTEND. The assigned Board Member will make a decision based on ALL information and/or documentation collected on file. An **Oral Hearing** is a hearing where you must attend. Oral Hearings are ordinarily open to the Public. You may wish to have someone attend with you to help you feel comfortable. In cases which may be 'In Camera' or have a 'Publication Ban', it is at the discretion of the Board Members as to which individuals can be admitted to the hearing room. You are required to be either sworn or affirmed at an Oral Hearing. The assigned Board Member(s) will have already read through the information/documentation collected for your file. Unlike the Criminal Court Process, the Board's hearings are victim-centred and are held in a relaxed environment.

After a hearing, the panel members will draft a decision but the actual processing of this decision takes much longer. A Board Order has to be written and typed, reviewed by the Board's Chairperson then signed off by panel members. It is then processed through the Board's finance department and sent to the Ministry for the issuance of a cheque. The Board then mails out the decision and award, if any, to the current address on file.

If you have any further questions or concerns contact the Client Services Department at (416) 326-2900 or 1-800-372-7463.

INITIATE FILE

APPENDIX 2
INITIATING A FILE

(a) Criminal Injuries Compensation Case File Checklist

Appendix 2 (a)

CHECKLIST

FOR CRIMINAL INJURIES COMPENSATION SUBMISSION

Case name _____ Worker _____

CAS No. _____ Branch _____

Date started _____ Telephone extension _____

Summary of situation for which application is being made

Application No. _____ Date application form completed _____

Police information: Officer _____ Badge No. _____

Division _____ Date of investigation _____

Charges laid _____

Report _____ Date requested _____ Date received _____ N/A

Medical

Facility _____

Psychological / Psychiatric

Therapist / Treatment

Academic

Worker statement

Victim impact statement

Parent statement

Foster parent statement

Date submission sent to CICB _____

COMPLETE APPLICATION

APPENDIX 3

COMPLETING AN APPLICATION FORM

- (a) **Sample application form**
- (b) **Signing authority**

Appendix 3 (a)

Criminal Injuries Compensation Board
APPLICATION FOR COMPENSATION

A set of the appropriate application forms (blanks) follows. You will probably receive a set of seven forms, totalling 16 pages, but not all are needed for our submissions.

You may need:

Application for Compensation

Treatment Form

Authorization Form

Extension Form

You will not need:

Employment Form

Benefits Form

Expenses Form (Death Claim)


Criminal Injuries Compensation Board

439 University Avenue, 4th floor
 Toronto, Ontario M5G 1Y8
 Toll Free: 1-800-372-7463
 Tel: (416) 326-2900 Fax: (416) 326-2883

S
Application for Compensation

PLEASE REFER TO THE "INFORMATION BOOKLET" WHEN COMPLETING THIS FORM.

A

The personal information on this form is collected under the authority of the "Compensation for Victims of Crime Act", R.S.O. 1990, c.24 as amended. The principal purpose for which this information will be used, is to make a determination of eligibility for an amount of compensation.

Please be advised that any information submitted to the Board is subject to both the "Freedom of Information and Protection of Privacy Act" and the "Statutory Powers Procedures Act".

M

Please complete the following information : (Please PRINT Clearly)

01	Type of Injury (please check one)
	<input type="checkbox"/> Assault <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Injury causing death <input type="checkbox"/> Other (specify) :

P

02	Victim Information			
a	Has the victim previously applied to the Criminal Injuries Compensation Board?			Yes <input type="checkbox"/> No <input type="checkbox"/>
	If Yes, when :	Year	Month	Day
				File # :
b	Last Name :		Maiden Name :	
	Given Name :		Other Name : (including aliases)	
c	Mailing Address :			Apt #/Suite
	Street No. and Name			
	City	Prov/State	Postal/Zip Code	Country
d	Telephone :		Gender	
	Business ()	Home ()	<input type="checkbox"/> Male <input type="checkbox"/> Female	
e	Date of birth :	Year	Month	Day
f	Social Ins. / Sec. #		Ontario Health Card #	
g				
h				
i	Marital Status : (please check one)			
	<input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Common-Law <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Widowed			
j	Was the victim employed at the time of injury?			k
	Yes <input type="checkbox"/> No <input type="checkbox"/>			Number of dependants :
l	Did the victim receive any treatment for his/her injuries (e.g. Hospital, Doctor, Therapist, etc.)			
	Yes <input type="checkbox"/> No <input type="checkbox"/> (please check one)			

E

Turn to page 2

Page 1 of 4

03	(Alleged) Offender(s) Information		Provide ANY of the following information if known. (space for two (2) alleged offenders is provided)
1	What is the relationship of the (alleged) offender to the victim : (e.g. acquaintance/relative/stranger/etc.)	Age	
	Last Name : S	Given Name :	
	Address (Street No, Name, City, Province, Postal Code)		
2	What is the relationship of the (alleged) offender to the victim : (e.g. acquaintance/relative/stranger/etc.)	Age	
	Last Name : A	Given Name :	
	Address (Street No, Name, City, Province, Postal Code)		

04	Particulars of the Incident (For Sexual Assault Victims, please include information based on the last occurrence of the incident)			
a	Date of the incident : Year Month Day	Time of the incident : Hour Minute am pm	Date of death (if applicable) : Year Month Day	
b	Name of place where incident took place (e.g. Name of establishment/institution, etc.)			
c	Address of incident		City of incident	

05	Details
a	Details of the incident. Describe what happened. If more space is required, use the "Additional Notes" section on page 4 of this application.
	L
b	Details of injury sustained (describe the injuries that the victim sustained)
	E

Turn to page 3

Page 2 of 4

06	Dependants of the Victim (Complete this section ONLY if the injury has resulted in the death of the victim, otherwise, go to Section 07)				
* Note : Refer to "Nervous Shock" in the "Information Booklet". If any dependants have required psychiatric treatment, please check this box with an 'x'					
	Last Name	Given Name	Date of Birth Year Month Day	Relation to Victim	x
1	S				
2					
3					
4	A				

07	Particulars of the Police Report	
a	Was the incident reported to the police? (please check one) <input type="checkbox"/> Yes (complete Section b) <input type="checkbox"/> No (complete Section c)	
b	Name of Police Department	Division / Detachment
	Name of police officer(s) & badge number(s)	Occurrence Number
	Date the incident was reported to the police Year Month Day	
c	Please explain why the police were not contacted	

08	Applicant on Behalf of Victim * Refer to the "Information Booklet" to see if this section applies to you. Otherwise go to Section 09.	
a	Relationship to victim (e.g. parent / guardian / etc.) :	
b	Has the applicant previously applied to the Criminal Injuries Compensation Board? Yes <input type="checkbox"/> No <input type="checkbox"/>	
	If Yes, when : Year Month Day File # :	
c	Last Name :	Given Name :
d	Mailing Address : Street No. and Name	
	City	Prov/State Postal/Zip Code Country
e	Telephones : Business () Home ()	Gender : Male <input type="checkbox"/> Female <input type="checkbox"/>
Please complete sections (g) to (i) ONLY IF you are a Parent/Guardian of the victim.		
g	Date of birth : Year Month Day	h Social Ins./Sec. # i Ontario Health Card #

Turn to page 4

Page 3 of 4

Lawyer:
 S
 Name of

CROWN A
M

P

Signature of Victim or Applicant

Date _____

L

E


Criminal Injuries Compensation Board

439 University Avenue, 4th floor
 Toronto, Ontario M5G 1Y8
 Toll Free: 1-800-372-7463
 Tel: (416) 326-2900 Fax: (416) 326-2883

Extension Form

Please refer to the 'Information Booklet' when completing this form.

According to the "Compensation for Victims of Crime Act", Section 6 states;

"An application for compensation shall be made within one year after the date of the injury or death, but, the Board, before or after the expiry of the one-year period, may extend the time for such further period as it considers warranted. R.S.O. 1990, c.24, s.6."

Please give details as to the reasons for your late filing in the section below and return this form with any supporting documentation.

Please Note : Any delays in receiving this form, will result in a delay in processing your application.

The personal information on this form is collected under the authority of the "Compensation for Victims of Crime Act", R.S.O. 1990, c.24 as amended. The principal purpose for which this information will be used, is to make a determination of eligibility for an amount of compensation.

Please be advised that any information submitted to the Board is subject to both the "Freedom of Information and Protection of Privacy Act" and the "Statutory Powers Procedures Act".

File Number

Victim Information			
Last Name :		Given Name :	
Other Name :		Maiden Name :	
Address :			Apt/Suite :
City :	Prov/State :	Postal/Zip Code :	Country :
Birthdate (yy.mm.dd) :	Sex :	SIN/SSC :	Health Card # :
Date of injury (yy.mm.dd) :		City where injury occurred :	

Please complete the following information : (Please PRINT Clearly)

01	Details for Late Filing :

Complete reverse side ...

01 Details for Late Filing (continued)

S

A

M

P

L

02 Declaration of Statement

I hereby certify that the above statements are true to the best of my knowledge and belief, and I undertake to notify the Board of any change in circumstances that may affect the assessment of any compensation.

E

Signature of Victim or Applicant

Date

If you have any questions, please do not hesitate to contact this office.

J. Mutch (Ms), Compensation Analyst

November 21, 1996


Criminal Injuries Compensation Board

439 University Avenue, 4th floor
 Toronto, Ontario M5G 1Y8
 Toll Free: 1-800-372-7463
 Tel: (416) 326-2900 Fax: (416) 326-2883

Treatment Form

Please complete ALL the information in the sections that apply to you and return this form as soon as possible.

Please Note: Any delays in receiving this form, will result in a delay in processing your application.

The personal information on this form is collected under the authority of the "Compensation for Victims of Crime Act", R.S.O. 1990, c.24 as amended. The principal purpose for which this information will be used, is to make a determination of eligibility for an amount of compensation.

Please be advised that any information submitted to the Board is subject to both the "Freedom of Information and Protection of Privacy Act" and the "Statutory Powers Procedures Act".

File Number

Victim Information

Last Name :		Given Name :	
Other Name :		Maiden Name :	
Address :			Apt/Suite :
City :	Prov/State :	Postal/Zip Code :	Country :
Birthdate (yy.mm.dd) :	Sex :	SIN/SEC :	Health Card # :
Date of injury (yy.mm.dd) :		City where injury occurred :	

Please complete the following information : (Please PRINT Clearly)

01	Emergency Hospital Treatment			
	Name, Address and City of Hospital :			
	Date :	Year	Month	Day
	Hospital Reference # :			
02	Other Hospital Admittance			
	Name, Address and City of Hospital :			
	Date :	Year	Month	Day
	Hospital Reference # :			
03	Medical Doctor(s) Provide information of medical doctors or medical specialists you have seen pertaining to this injury. (* Space for two (2) doctors is provided)			
	1 Name :			
	Address :		City :	
	Postal Code :		Telephone :	
	2 Name :			
	Address :		City :	
	Postal Code :		Telephone :	

Complete reverse side ...

04	Dental Treatment		
1	Name :		
	Address :	City :	
	Postal Code :	Telephone :	
2	Name :		
	Address :	City :	
	Postal Code :	Telephone :	

05	Psychiatrist / Psychologist / Social Worker / Counsellor		
1	Name :		
	Address :	City :	
	Postal Code :	Telephone :	
2	Name :		
	Address :	City :	
	Postal Code :	Telephone :	

06	Physiotherapy		
1	Type :	Name :	
	Address :	City :	
	Postal Code :	Telephone :	
2	Type :	Name :	
	Address :	City :	
	Postal Code :	Telephone :	

07	Other Treatment (specify type of treatment) :		
1	Type :	Name :	
	Address :	City :	
	Postal Code :	Telephone :	
2	Type :	Name :	
	Address :	City :	
	Postal Code :	Telephone :	

02	Declaration of Statement
----	--------------------------

I hereby certify that the above statements are true to the best of my knowledge and belief, and I undertake to notify the Board of any change in circumstances that may affect the assessment of any compensation.

Signature of Victim or Applicant

Date

If you have any questions, please do not hesitate to contact this office.

J. Mutch (Ms), Compensation Analyst November 21, 1996


Criminal Injuries Compensation Board

439 University Avenue, 4th floor

Toronto, Ontario M5G 1Y8

Toll Free: 1-800-372-7463

Tel: (416) 326-2900 Fax: (416) 326-2883

S
Authorization Form
AUTHORIZATION FOR RELEASE OF INFORMATION

1. I, THE UNDERSIGNED PERSON, hereby consent to and by this authorization or any photocopy, thereof, authorize:
 - a) The doctor, dentist, therapist, physiotherapist and other treatment provider that I attended, to furnish the Board at their request with a report as to my injuries and treatment.
 - b) The Police to furnish the Board at their request with a copy of any statement(s).
 - c) The Worker's Compensation Board, Unemployment Insurance Commission, Revenue Canada, Canada Pension Plan and/or any other authority from which I may receive payments from Provincial or Federal funds to give the Board information relevant to my application.
 - d) My employer(s), my Union, Revenue Canada and any other authority to give the Board information as to my earnings and other matters relevant to my application.
 - e) Any accident or sickness or life assurance company, or private pension scheme from which I may receive payments to give the Board information relevant to my application.
 - f) The psychiatrist, doctor or any other practitioner at any psychiatric facility, where I may have received treatment or care, to furnish to the Board, medical information as the Board may request.
2. I UNDERSTAND that the Board may notify the authorities mentioned above that I have submitted an application and may also inform them of the Board's decision.
3. I UNDERSTAND that any information submitted to the Board is subject to "The Freedom of Information and Protection of Privacy Act, 1987" and the "Statutory Powers Procedures Act". **P**
4. I AGREE to give the Board all necessary assistance with respect to the above-noted matters.

Name of victim

L

Signature of victim

Date

If you (the victim) are under 18, you MUST have a parent or guardian complete the information below.

Name of applicant (on behalf of victim)

E

Address of applicant

Applicant's relation to victim

Signature of applicant

Date

Please turn over ...

S
This authorization shall expire;

a) in the case of an authorization under the Mental Health Act, after SIX MONTHS of the date of signature;

- and -

b) in all other cases, after TWO YEARS of the date of signature.

A

At any time prior to the expiry date, you may revoke this authorization by making a request in writing to the Criminal Injuries Compensation Board.

M
Any such revocation would become effective upon receipt at the Criminal Injuries Compensation Board and relate only to information requested after that date.

P

OFFICE USE ONLY

I certify that the photocopy is a true copy of the original document which does not give any indication of having been altered in any respect.

Criminal Injuries Compensation Board Compensation Analyst

E

Appendix 3 (b)

Appendix 3 (b)

SIGNING AUTHORITY

The Children's Aid Society has a **responsibility** to complete an application for any youth in our care who qualifies for compensation.

- If the child returns home prior to the completion of the process, the applicant information can be changed.
- If a child is not in our care, the applicant will be the parent or guardian.
- The Children's Aid Society may initiate the process (obtain the application package) and assist a client with completion of a submission.
- In situations where the client is transient, the Children's Aid Society may opt to be the mailing address for an applicant.

DOCUMENTATION

Appendix 4
DOCUMENTATION

- (a) Release criteria**
- (b) Release form**
- (c) Request for report/record**
- (d) Permission to submit attached report to the CICB**
- (e) Sample worker's statement**
- (f) Criteria for preparing a worker's statement**
- (g) Sample victim impact statement**
- (h) Criteria for preparing a victim impact statement**

Appendix 4 (a)

RELEASE CRITERIA

- If the victim is under the age of 18, the applicant will be the parent or guardian.
- Agency policy dictates, however, that **a child over the age of 12** must consent to our submitting an application on his or her behalf.
- Reports that we send to the Criminal Injuries Compensation Board must be authorized for release by the author/agency where the report originated.

Appendix 4 (b)

RELEASE OF INFORMATION

TO: The Criminal Injuries Compensation Board of Ontario

RE: _____

I grant permission for the Children's Aid Society of Metropolitan Toronto to release a copy of the attached report to the Criminal Injuries Compensation Board in support of their application on behalf of the above-named child.

Name of resource/agency _____

Details of report _____

Signed _____

Witness _____

Date _____

APPENDIX 4 (c)

REQUEST FOR REPORT/RECORD



.....

.....

.....

.....

.....

.....

Dear

Re: Criminal Injuries Compensation for

We are in the process of submitting a Criminal Injuries Compensation Application for the above-named youth, who has been a victim of a crime. We would appreciate copies of any records that you may have regarding treatment of the youth necessitated by the incident.

Please forward the reports to us, along with the attached *Release of Information* form.

Please do not hesitate to call if you require any further clarification of this request.

Thank you for your assistance in processing this request.

Yours sincerely,

Central Office 33 Charles Street East, Toronto, Ontario M4Y 1R9
 Tel: (416) 924-4646 * Fax: (416) 324-2485 * Fax: (416) 324-2550
 Fax: (416) 324-2181 * Fax: (416) 324-2502 * Fax: (416) 324-2500

Appendix 4 (d)

PERMISSION TO SUBMIT ATTACHED REPORT TO CICB



.....

.....

.....

.....

.....

.....

Dear

Re: Criminal Injuries Compensation Application for

We are in the process of submitting a Criminal Injuries Compensation Claim for the above-named youth, who has been a victim of a crime.

We would appreciate your permission to include the attached report, written by yourself or an employee of your agency, with the package of material that the Board will review in their assessment of the claim.

Please complete the attached form and return it to us as soon as possible.

If you have any concerns or questions about this request, please contact me.

Thank you in advance for your assistance in this matter.

Yours sincerely,

Central Office 33 Charles Street East, Toronto, Ontario M4Y 1R9
Tel: (416) 924-4646 * Fax: (416) 324-2485 * Fax: (416) 324-2550
Fax: (416) 324-2181 * Fax: (416) 324-2502 * Fax: (416) 324-2500

Appendix 4 (e)

SAMPLE WORKER'S STATEMENT



.....

Criminal Injuries Compensation Board
439 University Avenue, 4th floor
TORONTO, Ontario
M5G 1Y8

Re: XXXXX
D.O.B. XXXXX

To whom it may concern:

This letter is a combination of my two years of work with the above-named child and her shared feelings regarding the abuse which she has suffered at the hands of her family. XXXXX presents as a very shy and withdrawn child; she is quite mistrustful of others and is always expecting one to have a hidden agenda for caring or showing concern for her well-being.

XXXXX is quick to admit that she has not had an easy life; she faults her family and in particular her father for her mistrustful nature. Since I have known XXXXX, she has come gradually to accept that she is a worthwhile human being and worthy of love. Much of the innocence that XXXXX should have had as a young child was taken away from her by her father and his continued abusive nature. XXXXX has often commented to me that the beatings did indeed hurt, but the verbal remarks have left far greater scars for XXXXX.

XXXXX is quite concerned about what the future will hold for her; she is particularly unsure of future male relationships. She often questions whether or not she will meet someone who will once again abuse her, and no matter what reassurance I try to provide to her, it is never enough. XXXXX's abuse has also caused the breakdown of her family unit. She no longer has contact with her father and only has phone contact with her mother. For years she has had to live with the guilt of her father being sent to jail and the ultimate removal of her and her brother to foster care.

XXXXX is well aware of the fact that her father blames her for his time in jail and for a time she also blamed herself. I think she has since worked through this, but every once in a while XXXXX will share with me her feelings and as a result often breaks down crying.

Central Office 33 Charles Street East, Toronto, Ontario M4Y 1R9
Tel: (416) 924-4646 * Fax: (416) 324-2485 * Fax: (416) 324-2550
Fax: (416) 324-2181 * Fax: (416) 324-2502 * Fax: (416) 324-2500

I have tried to explain this process to her to the best of my ability, and XXXXX is quick to remind me that no amount of money will ever make what she has experienced all right, but she is hoping that some good can come out of this horrible ordeal; she has stated that she would use any money received towards college.

I hope this information is of some help in explaining the impact XXXXX's abuse has had on her.

Yours sincerely,

Social Worker

Central Office 33 Charles Street East, Toronto, Ontario M4Y 1R9
Tel: (416) 924-4646 * Fax: (416) 324-2485 * Fax: (416) 324-2550
Fax: (416) 324-2181 * Fax: (416) 324-2502 * Fax: (416) 324-2500

Appendix 4 (f)

CRITERIA FOR PREPARING A WORKER'S STATEMENT

The following are common behavioural affects of abuse and trauma which the worker should consider in preparing a submission for criminal injuries compensation.

Abortion/adoption	Involvement in crime
Alienation from family	Irritability
anxiety/panic attacks	Isolating self from life
Appetite disturbances	Lack of self confidence
Bodily harm from assault	Limited sense of self worth
Change in residence	Low/poor self esteem
Changes in lifestyle	Medical problems: AIDS, venereal diseases,
Changes with issues of safety	S.T.D.s
Concern of disrupting family life	Memory blocks
Deep lack of trust in everyone	Mood swings
Difficulty in trusting others	Multiple personality
Difficulty in setting goals and following through on them	Negative self image
Difficulty with ability to stay on task and/or concentrate	Nightmares/night terrors
Disorientation	Paranoia
Disruption of development growth of self-independence	Pattern of victimization
Dissociation	Permanent disability
Distorted body image	Phobias
Eating disorders	Pregnancy
Fear of AIDS	Recurring depressions
Fear of being alone	Relationship problems
Fear of being assaulted again	Self abuse (e.g., cutting, burning)
Fear of losing family support	Self-destructive behaviour
Fear of physical well being	Self doubt
Fear of pregnancy	Sexual dysfunctions
Fear of S.T.D.s	Shock/disbelief/denial
Feeling a burden on family and/or friends	Sleeping disorders
Flashbacks	Sleeping disruptions
Frequent crying spells	Stress from testifying in court
	Substance abuse
	Suicide attempts

Appendix 4 (g)

SAMPLE VICTIM IMPACT STATEMENT

VICTIM IMPACT STATEMENT

Given by XXXXX

My most vivid memory of the abuse is the beatings I got from my XXXXX when I tried to tell her and she said I lied. When he made me bleed, XXXXX thought I was having sex with my friends and would beat me with a belt. I tried to tell her many times what was happening and she said I was lying and would beat me. When he gave me money, my XXXXX thought I stole it from her and she would beat me. I didn't really know what was happening. He used to make me lay on top of the other girls.

I felt dirty all the time and got in trouble for taking so many showers. I still feel to this day that I have some of his germs in me and I'm afraid I might give them to my man.

After I told the police everything I gained a lot of weight.

I still get nightmares because of what he did. It has made me violent towards guys and I have an aversion to white men because of him.

He took away my childhood and turned me into a flirt and made me too friendly with men.

The worst impact was that I have had no trust in anyone and have been very afraid of getting too close to people. I'm afraid they will end up hurting me.

I have a fear that I might touch any children I have in inappropriate ways. I know I would be over-protective, especially of a girl, and I was that way with my little sister.

I have a lot of anger still. This has led me into trouble and has interfered in my relationships with people. I feel I need therapy to help me with this and to help me develop healthier relationships.

Appendix 4 (h)

CRITERIA FOR PREPARING A VICTIM IMPACT STATEMENT**Ideas for the preparation of a victim impact statement (the child's letter)***Provided by the Attorney General's Office*

It is not suggested that the victim's letter needs to refer to *all* of these points. The list is provided to provide the worker with ideas for helping the child/youth to put together a victim impact letter.

The Offender

- How did you know him/her?
- How did you feel about him/her prior to the abuse?
- How do you feel about him/her now?

Time of the Abuse

- What were your thoughts?
- How did you feel?

Time of Disclosure

- How did you feel when you told someone?

The Investigation (Police, Children's Aid Society)

- How many people did you have to tell?
- What was that like for you?

The Medical Exam (if Applicable)

- Do you remember any critical incidents and how you felt (photos, examinations, tests, physical injuries)?

Daily Life

- What is life like now as compared with before the abuse?
- Any changes in sleeping, eating, general mood, hobbies, routines?
- Any worries, triggers to memories?
- Any changes to self-image?

Friends

- Any changes?
- Any feelings?

The Family

- Any changes?
- How are relationships? Communication?
- Any feelings?

School

- Any changes (grades, attendance, feelings, concentration, activities, relationships with peers and staff)?

Counselling

- Do you go to counselling?
- Number of meetings, cost, travel?
- Feelings toward counselling?

Court

- How was the waiting time, preparation, meetings?
- What are your feelings about court?
- What was testifying like?

Future

- Any worries, fears?
- What impact has abuse had?

COMPLETE SUBMISSION

Appendix 5**COMPLETING THE SUBMISSION**

- (a) **Sample detailed submission cover letter**
- (b) **Sample cover letter (to accompany detailed case outline)**
- (c) **Sample detailed case outline**

Appendix 5 (a)

SAMPLE DETAILED COVER LETTER



DATE:

TO: CRIMINAL INJURIES COMPENSATION BOARD

RE: [Child's name]
SUMMARY STATEMENT OF INJURIES

XXXXXX is currently in the care of the Children's Aid Society. She presently lives in an independent living situation and attends an alternative school.

XXXXXX was abandoned by her mother as an infant. XXXXXX she calls her nanny XXXXXX. This placement lasted for 11 years. It was during the time she lived with this woman that XXXXXX was abused by a man she knew as XXXXXX and by her uncle XXXXXX. XXXXXX was charged, convicted, and sentenced to nine years in prison. XXXXXX plead guilty to common assault. Details of the abuse are outlined in XXXXXX 1991 (attached) and her own Victim Statement (attached). XXXXXX participated in the court hearings.

XXXXXX was admitted to the care of the Children's Aid Society in XXXXXX of 1992. XXXXXX was described as a defiant, destructive, self-abusive child who was jealous of her siblings and associated with negative peers.

Throughout XXXXXX's life in our care she has had problems which can clearly be related to the impact of the sexual abuse. Treatment goals have focussed intensively on helping her deal with unresolved conflictual, emotional, and sexual issues. She has often been depressed and has had suicide ideation. The medical condition of diabetes has been more out of control during times of depression. XXXXXX has been aggressive toward peers and has difficulty trusting adults.

Even before her admission to our care, XXXXXX was described as a child who was desperate for love and acceptance and who saw sex as a way to get affection. She was seen as a child who put herself at great risk. After her admission to care, XXXXXX continued to make allegations of abuse against caregivers. None of these claims resulted in charges being laid. As XXXXXX continued into adolescence, incidents of promiscuity and lack of judgement in sexual encounters increased. Incidents of drinking and concerns about substance abuse complicated XXXXXX's ability to manage her emotions and her physical care. XXXXXX often ran away from placements, resulting in many placement changes and disruptions in treatment programs.

Central Office 33 Charles Street East, Toronto, Ontario M4Y 1R9
Tel: (416) 924-4646 * Fax: (416) 324-2485 * Fax: (416) 324-2550
Fax: (416) 324-2181 * Fax: (416) 324-2502 * Fax: (416) 324-2500

Attached to this application are several reports and statements which clearly speak to the unresolved issues XXXXX struggles with related to the abuse she experienced. As she matures, with support, she has expressed a desire to seek counselling to help her deal with her issues. XXXXX will leave the care of the Children's Aid Society in the next few years but will continue to need support and counselling for many years.

It is our hope that XXXXX will be granted an amount of money that will help her to seek the necessary supports that she will require in the future as she moves into independent living without family supports or the support of the Children's Aid Society.

Prepared by:

Pat Convery, Co-ordinator, Criminal Injuries Project

Information from file and interview with child's social worker

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Fax: (416) 324-2181 * Fax: (416) 324-2502 * Fax: (416) 324-2500

Appendix 5 (b)

SAMPLE COVER LETTER (TO ACCOMPANY DETAILED CASE OUTLINE)



XXXXX, 199X

Criminal Injuries Compensation Board
4th Floor
439 University Avenue
TORONTO, Ontario
M5G 1Y8

Re: XXXXX
D.O.B. XXXXX

To Whom It May Concern:

XXXXX is a Crown Ward. Because of intense emotional and behavioural problems, XXXXX is now resident at XXXXX near XXXXX, a residential facility which serves youths with severe emotional, behavioural, psychiatric, and social problems. These young people are frequently developmentally delayed and/or are developing mental health disorders. XXXXX provides a very structured, secure, safe home in which these youth can complete their growing up. There is a very high staff to resident ratio, and the residents are very closely monitored. XXXXX is one of the most severely disturbed children they have worked with at XXXXX. She is never, except when sleeping, without an adult within arm's reach because she is extremely impulsive and destructive. With eight of the nine residents of her house, she attends a nearby special education facility dedicated to XXXXX residents.

There is very strong evidence that XXXXX and her younger brother suffered severe parental neglect and abuse (emotional, physical, and sexual) and that XXXXX's horrendous early childhood was the cause of her severely disturbed state. XXXXX was removed from the family home on XXXXX, when she was just over five years old. The brother XXXXX was apprehended on XXXXX, at just under four years of age. A younger sister XXXXX was apprehended on July 14, 1989, at the age of ten months.

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Fax: (416) 324-2181 * Fax: (416) 324-2502 * Fax: (416) 324-2500

This submission will outline and then provide documentation concerning XXXXX's history, indications of abuse, her current behavioural problems, psychological and psychiatric assessment, and her current and future needs.

It is our hope that the Board will be able to provide compensation to XXXXX for the pain and suffering she has endured because of the abuse of which she was a victim. We would recommend that such an award be withheld until XXXXX reaches her twenty-first birthday. We also believe that XXXXX may require professional care beyond her eighteenth birthday.

Please do not hesitate to contact us if you require any further information.

Sincerely,

XXXXX
Volunteer, CASMT

Pat Convery
Co-ordinator, Criminal Injuries Project CASMT

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Tel: (416) 924-4646 * Fax: (416) 324-2485 * Fax: (416) 324-2550
Fax: (416) 324-2181 * Fax: (416) 324-2502 * Fax: (416) 324-2500

Appendix 5 (c)

SAMPLE DETAILED CASE OUTLINE

July 9, 1996

TO WHOM IT MAY CONCERN

Re: XXXXXX (DOB: XXXXXX)

HISTORY

Date of birth:

Parents: XXXXXX (DOB: XXXXXX)
 XXXXXX (DOB: XXXXXX)

Siblings: XXXXXX (DOB: XXXXXX)
 XXXXXX (DOB: XXXXXX)
 (Deceased: XXXXXX -- See
 INDICATIONS OF ABUSE below.)
 XXXXXX (DOB: XXXXXX)

Interventions:

The XXXXXX case was opened in XXXXXX in XXXXXX, when XXXXXX was about fifteen months old and XXXXXX was a new baby.

On XXXXXX was admitted to XXXXXX Hospital and diagnosed with "failure to thrive." The hospital recommended to the CAS that the child be apprehended, but he was released to his parents who exhibited some "roughness in handling the children" but were considered to be "basically honest, well-meaning, and concerned, but intellectually limited."

On XXXXXX, CASMT made a home visit in response to a request from XXXXXX's day care centre because of bruising on her face.

On XXXXXX, the third child, XXXXXX, died at the age of eight months, and the Coroner requested that the CASMT and Public Health investigate the home to ensure the safety of the other two children.

On XXXXXX, the public health nurse reported suspected sexual abuse of XXXXXX and medical investigation of this followed.

Apprehension

XXXXXX (aged 5 years 2 months old) was apprehended by the CAS on XXXXXX (aged 3 years 11 months old) on XXXXXX, and XXXXXX (aged not quite ten months) on XXXXXX, as there was clear evidence of physical abuse, sexual abuse, and an extreme degree of neglect and deprivation by their natural parents.

Because of her extremely disruptive and difficult behaviour, XXXXX was in five foster homes and a CASMT residence (for five months) in ten months. She remained in her sixth foster home for four and a half years, was then in a placement house (for assessment) for six months, and is now in the XXXXX Residence.

XXXXX, and were made crown wards without access on XXXXX.

INDICATIONS OF ABUSE

On XXXXX, XXXXX Day Care reported that a bruise on XXXXX's face suggested physical abuse. The abuse was not validated; explanation was that she had fallen on a toy.

XXXXX and XXXXX frequently appeared at day care (and junior kindergarten) with bruises. XXXXX lost her two front teeth before she was three years old, reportedly because she fell down the stairs.

Reports of poor parenting skills and approaches were made by day care and school staff, the public health nurse, and CASMT workers. "The parents' parenting style is reported as rigid, non-nurturing, with father being the authority figure. He yells, threatens, and slaps to discipline XXXXX and her younger brother." (*Surrey Place Centre Report, XXXXXXXXX*)

On XXXXX, XXXXX, eight months old, "stopped breathing" and died at home.

Inquest results: No malice; poor judgment (lack of appropriate medical treatment sought by parents); cause of death -- complications arising from gastroenteritis and primary dehydration. No apparent grief by parents.

XXXXX and XXXXX were regularly locked in their bedrooms at night.

On XXXXX, XXXXX (less than five years old) disclosed to a teacher that she had "a sore bird" (referring to her vagina). A medical examination (and SCAN process) led to a diagnosis of *gardnerella* -- a sexually transmitted disease but not necessarily indicative of abuse.

On XXXXX, XXXXX was apprehended at his day care centre because he had physical injuries (fresh multiple scratches and abrasions around his neck). On the same day, both XXXXX and XXXXX made sexual abuse disclosures although they were living at different locations.

XXXXX indicated to one of her foster mothers that "her daddy used to tie her hands behind her back when she touched things she wasn't supposed to" and that "when her hands were tied she had trouble going up and down the stairs."

Both XXXXX and XXXXX were sexually very precocious when taken into care (at just over five years and just under four years of age, respectively), and had previously shown these indications. (*See Transfer Recording, XXXXX, page 5.*) The father had an extensive collection of "dirty movies" (of which he seemed very proud) and the children were exposed to these

films, as well as to apparent sexual abuse by the father. The parents were reported to visit strip joints.)

CURRENT BEHAVIOUR

When taken into care, XXXXX's behaviour was so disruptive and out-of-control and otherwise inappropriate that she was in several foster homes and assessment centres before a family was found which kept her for three years. This behaviour included non-compliance, temper tantrums, physical (biting, scratching hit-ting) and verbal aggressiveness, attention-seeking, poor personal hygiene, urinating in her clothes and on furniture, and sexual provocativeness and acting-out (at five-and-a-half, trying to open the fly of a male staff member in a placement centre, standing naked in front of other residents, exposing herself by lying on a couch and extending her legs up in the air, threatening to take off her clothes, responding to other residents' requests to be involved in sexual games). At the same time, she viewed herself as a "bad girl" and would hit herself and sometimes ask adults to hit her (for being bad).

At the age of seven, XXXXX struck a toddler in a stroller with a vase. On another occasion, she was found with a rock the size of a canteloupe held above her head, apparently about to hit another child on the head. Also in 19XX, while at camp, she led a young child into the lake and held her under the water until someone noticed what was happening.

A year later, while at camp again, XXXXX went into the barn and sprayed two-week-old kittens with bug spray; when this failed to kill the kittens, she broke one's neck, killing it.

In XXXXX, a request was made and approved for a "specialized child care worker to act as a teacher's assistant to enable XXXXX to attend school on a full-day basis." XXXXX was the first child to be suspended by her principal in his thirty years of professional service.

PSYCHOLOGICAL / PSYCHIATRIC / EDUCATIONAL ASSESSMENTS

Detailed psychological, psychiatric, and school reports are included as Attachments.

NEEDS

We believe that XXXXX will require medication . . .

FOLLOWUP

APPENDIX 6

FOLLOW UP

- (a) Sample Board decisions
- (b) The Criminal Injuries Compensation Board hearing process
- (c) CICB Questionnaire
- (d) Collecting an award held in trust

Appendix 6 (a)

SAMPLE CRIMINAL INJURIES COMPENSATION BOARD DECISIONS

Child Physical Abuse

File: 922-018486 Hearing held in camera

With the applicant's consent, this application was considered solely on the basis of the documentation filed.

This application was brought forward by the Children's Aid Society **on behalf of an eight-month-old boy** who suffered severe physical abuse from his mother or another caretaker on May 8, 1986. He was taken to hospital suffering from multiple abrasions and contusions of the scalp, a bilateral skull fracture, bilateral subdural effusions which required a shunting operation, post-traumatic epilepsy, and a fracture of the left femur. The victim required intensive care and treatment for over a month, then was brought into the care of the Children's Aid Society. At the time of the hearing he was being cared for by his grandmother.

Medical evidence indicates that the head injury affected him intellectually, and a January 1989 test classified him as a slow learner. In her June 1990 response to the

Board's questionnaire, the victim's maternal grandmother stated that he appeared to have recovered from his injuries but still required the shunt.

The victim's mother was charged with Criminal Negligence and Aggravated Assault, but was acquitted on both charges.

The Board found that the application qualified under Section 5(a), and ordered that **\$12,000.00 for pain and suffering**, Section 7(1)(d), be placed in trust with the Accountant of the Ontario Court (General Division) and held in an interest-bearing account.

The Board further directed that the file be redirected to the Board for an Order regarding payment in September 2003, just before the victim's 18th birthday. At that time, the victim's guardian is to **provide the Board with appropriate medical documentation to enable it to assess his ability to manage his financial affairs**. The Board also awarded the solicitor \$244.50 in disbursements and \$300.00 for his assistance to the Board for a total award of \$12,544.50.

* * * * *

**Trial
information
Mother
acquitted**

Award

**Request for
more
documentation
at time of
payment of
award**

**Example of
shaken baby**

Child Sexual Abuse

**File: 922-023184
Hearing held in
camera**

The application was brought by a father on behalf of a minor son born in December 1975. Other applications were brought on behalf of another son born in August 1977 (File: 922-023194) and his daughter born in July 1978 (File: 922-023204). The applicant and his wife had adopted the three children in 1981 through the Children's Aid Society.

In 1984, the victim in this application, then aged 8, revealed a history of sexual and physical abuse which the three children had suffered in the foster home where they had resided from 1979 until they were placed with the applicant. The victim alleged that he had been forced to watch and engage in a variety of sexual activities involving the son of his foster parents and two of the son's girlfriends. He also disclosed physical abuse suffered by himself and his younger brother.

An extensive investigation was undertaken by the police. Criminal charges were laid and the police witness who testified at the Hearing stated that the victim had been an excellent and credible witness at the trial,

though this had resulted in a hung jury. This result had been traumatic on the boy, whose world seemed to have fallen apart. He lacked confidence in his abilities, was failing at school, was on the fringe of a peer group exhibiting antisocial behaviour, and was having problems dealing with his adolescent sexuality.

The victim participated in six months of play therapy in 1982 and was clearly in need of help at the time of the Hearing. Though he was at a rebellious age and eager to deny his past, he did seem interested by a four-week **Outward Bound** program at a cost of \$2,000.00. The Board accepted that this program would be valuable and agreed to cover the cost for the summer of 1991. It also agreed to consider requests for this or similar programs in succeeding years.

The Board also drew to his attention the provisions of **Section 25** should he wish at any time in the future to undertake therapy or counselling and informed him of the means of activating the Section.

Since the Board recognized that the applicant was incurring extra expenses as a result of the prior abuse, the board awarded him \$4,000.00, calculated on the basis of \$1,000.00 per year from 1990 until the victim becomes 18 in 1994. This money was to be used for the victim's benefit in any manner

**Impact
information**

**Prepayment to
applicant**

**Payment to
applicant**

**Trial
information**

the applicant considered beneficial to him.

The Board was impressed by the manner in which the applicant and his wife were attempting to provide a secure and loving environment for the three children. The Board hoped this would help alleviate the trauma arising from the abuse. All three children were described as being very close and supportive of each other.

As stated, the charges of Indecent Assault and Gross Indecency had resulted in a hung jury.

Award

The Board found that the applicant qualified under Section 5(a) and awarded the applicant **\$4,000.00 expenses** [Section 7(1)(a)] and **\$2,000.00 other pecuniary loss** [Section 7(1)(f)]; and ordered that **\$10,000.00 pain and suffering** [Section 7(1)(d)] be deposited to the credit of the victim with the Accountant of the Ontario Court (General Division) to be held for the victim until he reaches the age of 21, for a total award of **\$16,000.00**.

* * * * *

Child Sexual Abuse

File: 922-025148 Hearing held in camera

With the applicant's consent, this application was considered solely on the basis of the documentation filed.

The application was brought before the Board by a Children's Aid Society on behalf of a minor boy born in June 1982. Though it was difficult to specify the precise dates of the sexual abuse, it would appear from the documentation that the biological father began to abuse the boy at an early age and that the abuse continued until June 1988. At this point, the boy was placed in the care of the Society.

In November 1988, the boy disclosed to his foster mother and the social worker that he had been abused on more than one occasion. The Society referred the victim to a psychiatrist for the treatment of his behavioural problems and sexualized behaviour.

Child disclosed in care

The victim demonstrated the nature of the abuse with the help of anatomically correct dolls during his first visit to this psychiatrist. Further sessions of play therapy revealed sexualized and aggressive themes in his play

**Impact
information**

behaviour consistent with a child who had been sexually abused. The victim identified his father as the abuser in these sessions, and indicated that the abuse had occurred on more than one occasion. The child was unable to identify the events, either in terms of number or as part of a temporal relationship.

The doctor recommended further individual therapy. By April 1990, the victim was showing more adaptive behaviour but was still expressing fear of his father. **The doctor anticipated future problems with trust in interpersonal relationships, since abused children in general show long-term problems.**

Both the victim and his father were examined by another psychiatrist. This psychiatrist noted the mutual love of father and son but, after considering the father's psychiatric illness and the authenticity of the victim's disclosure, recommended wardship for the victim.

The victim was made a ward of the Crown without parental access in October 1989. At the time of the Hearing, the victim was in the care of his adoptive parents on adoption probation. The Board drew attention to the provisions of **Section 25** should further counselling or treatment be required as a result of the assault and the costs not be recoverable from other sources.

The police interviewed the father who denied the allegations. Consideration was given to laying criminal charges against the father, but it was decided after discussion between the Crown, a child psychologist, and the C.A.S. that it would not be in the best interests of the victim to pursue the matter through the criminal courts.

**No charges
laid**

The Board found that the application qualified under Section 5(a) and ordered that **\$10,000.00** be deposited in an interest-bearing account with the Accountant of the Ontario Court (General Division) and held until the victim reaches the age of 21 in June 2003.

Award

* * * * *

Child Sexual Assault

File: 922-030873

Example of balance of probabilities

The applicant filed a claim on behalf of her daughter, a minor, who was allegedly sexually and physically assaulted by her father. **The applicant indicated that her daughter's sister had been sexually assaulted by her husband and he was convicted on five counts of sexual assault.** Her husband was primarily responsible for his daughter's care and spent large amounts of time at home alone with her.

The applicant noted that her daughter suddenly displayed great distress when her mother attempted to remove or change her diaper or to apply cream to her bottom. This behaviour ceased when the alleged offender was no longer around the household. The minor's doctor found **no evidence of sexual abuse**, but observed that the child was uncomfortable with having her diaper removed.

The applicant also described an incident of physical assault in which her husband came home drunk and punched his daughter in the stomach because she was crying. The applicant stated that when she picked up her daughter she observed that the wind was knocked out of her and she was gasping for

breath. No medical attention was sought regarding injuries.

On a balance of probabilities, the Board was not satisfied that the minor had been sexually assaulted, but the Board was satisfied that she was physically assaulted by her father. The Board, therefore, awarded **\$1000.00** for pain and suffering pursuant to Section 7(1)(d) of the Act. This amount and accrued interest shall be paid to the minor on her 18th birthday.

* * * * *

The Board denied the claim of sexual abuse, but accepted the claim of physical abuse.

Appendix 6 (b)

THE CRIMINAL INJURIES COMPENSATION BOARD HEARING PROCESS

An application to the Board is initially assessed by a compensation analyst and, if the file appears to be complete, it is then added to the documentary hearing list. The Board's decision may be made by one member or by more than one member.

There are two types of hearings, the documentary hearing and the oral hearing. The majority of applications are reviewed and decided upon in a *documentary hearing*. The victim (or the victim's representative) is not present, and the decision of the Board member(s) is made on the basis of the documentary evidence.

An *oral hearing*, usually in front of three members, may be held (a) if the applicant requests one, (b) if the Board needs some clarification of the circumstances, or (c) if the applicant appeals a documentary decision. After a documentary hearing or an oral hearing, the applicant receives a copy of the Board Order, which details the findings and decision of the Board member(s).

Appendix 6 (c)

CRIMINAL INJURIES COMPENSATION BOARD QUESTIONNAIRE

- *This is the final form CICB will send. It is a final update of the situation. Complete it **ASAP**. You may highlight specific points or refer the Board member of documents that have already been submitted.*

FILE NO. _____

DATE _____

NAME _____

DATE OF OCCURRENCE _____

In cases involving death, please complete Question 4 only.

1. How long did it take for you to recover from your injuries?
2. Do you have any continuing problems arising from your injuries?
3. How has this incident/injury affected your life?
4. Do you have any comments or further information about which you would like to inform the Board?

PLEASE SELECT ONLY ONE.☐

I AGREE TO LET THE BOARD PROCEED ON THE BASIS OF DOCUMENTATION ALONE. PLEASE AUTHORIZE.

Please be advised that, should the (alleged) offender request an Oral Hearing, the status may be changed from a Documentary Hearing to an Oral Hearing. If you have further questions, please contact the Board.

☐

I WOULD LIKE TO APPEAR AT AN ORAL HEARING.

- *A Documentary Hearing is usually preferred, since no one has to attend.*

Date

Signature

Street address

City/Town, Province

Postal Code

Area code and telephone number

Please note that it can take in excess of a year before an Oral Hearing is scheduled.

Appendix 6 (d)

OBTAINING AN AWARD HELD IN TRUST

Once minors have reached the age indicated on the Criminal Injuries Compensation Board's Order, they are entitled to receive the money awarded, by doing the following:

1. The minor must **write a letter explaining that he or she has reached the required age**. The letter must also **include the minor's birth date and present address**. **Two pieces of identification must also be photocopied and enclosed** with the letter, preferably a photo identification with the birth date and signature of the minor. If the minor lives in the Toronto area, he or she is required to attend the office of the Accountant of the Ontario Court (General Division) in person.

Address: **Accountant of the Ontario Court (General Division)**
 595 Bay St., Suite 808
 Toronto, Ontario
 M5G 2E3

Telephone: **(416) 314-2477**

2. Once the letter is received by the Accountant of the Ontario Court, an affidavit will be mailed to the minor. The affidavit must be filled out by the minor's **legal guardian** and sent back to the Accountant of the Ontario Court.
3. Once the Accountant of the Ontario Court receives the completed affidavit, a cheque will be mailed to the minor at the current address on file.

CICB November 1995

MISC.

Appendix 7

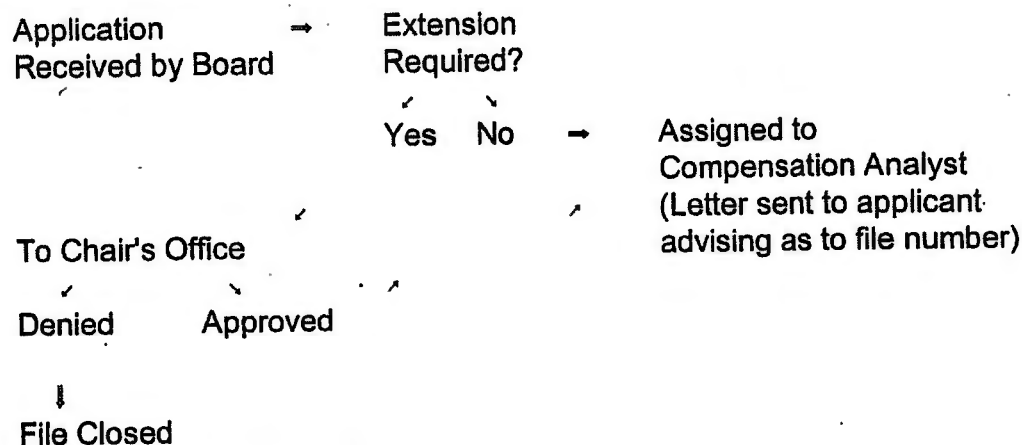
MISCELLANEOUS ITEMS

- (a) **CICB Flowchart**
- (b) **Compensation for Victims of Crime Act**

Appendix 7 (a)

CICB Flowchart

PROCESS OF A CRIMINAL INJURIES COMPENSATION BOARD'S FILE

CLIENT SERVICES (CSU)INVESTIGATIONS UNIT (IU)

Request for
Police Report
mailed out

↓

Investigation Required?

Yes

No

Investigator gathers
information, speaks with various
parties and prepares incident
report for file

ANALYST UNIT (AU)

Analyst sends letter to
applicant advising as to
supporting documentation
required

↓

Analyst reviews
all information
submitted in regard to
claim

↓

All information
submitted - Letter
to applicant in regard to type of
hearing and letter to
(alleged) offender

HEARINGS UNIT (HU)

Types of Hearing
Documentary & Oral



on Ready To Be
Heard (waiting) list for hearing



Applicant, (alleged) offender
notified as to hearing date, location
and time

assigned to Board ✓ →
Member



Decision made?



Yes No



Cancelled or
Adjourned

Referred to two-
member panel

additional info.
submitted



Reserved

to typists for Board
Order typing



to Chair for Review

to members for sign-off

Awarded

Denied

Board Order
Mailed

FINANCIAL UNIT (FU)

cheque requisitioned



request to head office
for issuance of cheque



returned to CICB for
verification



cheque and copy of
Board Order mailed
to applicant and/or representative

Appendix 7 (b)**COMPENSATION FOR VICTIMS OF CRIME ACT**

The Act follows.



OFFICE CONSOLIDATION

CODIFICATION ADMINISTRATIVE

Compensation for Victims of Crime Act

Revised Statutes of Ontario, 1990
Chapter C.24

Loi sur l'indemnisation des victimes d'actes criminels

Lois refondues de l'Ontario de 1990
Chapitre C.24

September 1993

©Printed by the Queen's Printer for Ontario

septembre 1993

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NOTICE

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AVIS

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On peut se procurer des exemplaires du présent document ainsi que d'autres publications du gouvernement de l'Ontario à Publications Ontario, 880, rue Bay, Toronto. Les personnes de l'extérieur peuvent écrire à Publications Ontario, 50, rue Grosvenor, Toronto (Ontario) M7A 1N8 (téléphone : (416) 326-5300 ou, en Ontario, 1-800-668-9938 sans frais d'interurbain). Télécopieur : (416) 326-5317. Les malentendants peuvent composer le (416) 325-3408 ou, sans frais en Ontario, le 1-800-268-7095. Les cartes de crédit MasterCard et Visa sont acceptées. Faire le chèque ou le mandat à l'ordre du ministre des Finances. Paiement exigé d'avance.

CHAPTER C.24

Compensation for Victims of Crime
Act

Definitions

1. In this Act,

“Board” means the Criminal Injuries Compensation Board; (“Commission”)

“child” means a child born within or outside marriage, subject to sections 158 and 159 of the *Child and Family Services Act* (which relate to the effect of adoption), and includes a grandchild of the victim and a person whom the victim has demonstrated a settled intention to treat as a child of his or her family, and includes a child of the victim conceived before and born alive after the victim's death, but does not include a child placed in the home of the victim as a foster child for consideration by a person having lawful custody; (“enfant”)

“dependant” means,

- (a) the spouse of the victim,
- (b) a parent of the victim, including a grandparent and a person who has demonstrated a settled intention to treat the victim as a child of his or her family, but does not include a person in whose home the victim was placed as a foster child for consideration by a person having lawful custody,
- (c) a child of the victim,
- (d) a brother or sister of the victim, and
- (e) any other relative of the victim,

who was in whole or in part dependent on the victim for support at the time of his or her death; (“personne à charge”)

“injury” means actual bodily harm and includes pregnancy and mental or nervous shock and “injured” has a corresponding meaning; (“lésion”)

“Minister” means the Attorney General; (“ministre”)

“peace officer” means a peace officer as defined in the *Criminal Code* (Canada); (“agent de la paix”)

“spouse” means,

CHAPITRE C.24

Loi sur l'indemnisation des victimes
d'actes criminels

1 Les définitions qui suivent s'appliquent à la présente loi.

«agent de la paix» Agent de la paix au sens du *Code criminel* (Canada). («peace officer»)

«Commission» La Commission d'indemnisation des victimes d'actes criminels. («Board»)

«conjoint» S'entend des personnes suivantes :

- a) la personne qui, au moment du décès de la victime défunte, était mariée avec elle,
- b) la personne du sexe opposé qui, au moment du décès de la victime défunte, vivait avec cette dernière dans une union conjugale hors du mariage,
- c) la personne dont le mariage avec la victime défunte a été dissous par un jugement irrévocable de divorce ou a été déclaré nul et à qui la victime défunte, au moment de son décès, fournissait des aliments ou avait une obligation légale d'en fournir. («spouse»)

«enfant» Enfant de la victime, y compris l'enfant né hors mariage, sous réserve des articles 158 et 159 de la *Loi sur les services à l'enfance et à la famille* (qui portent sur les conséquences de l'adoption). S'entend en outre d'un petit-fils ou d'une petite-fille de la victime, d'une personne dont la victime a manifesté l'intention bien arrêtée de la traiter comme s'il s'agissait d'un enfant de sa famille, ainsi que de l'enfant conçu du vivant de la victime et né viable après le décès de celle-ci. Est toutefois exclu l'enfant placé, moyennant rétribution, en famille d'accueil chez la victime par la personne qui en a la garde légitime. («child»)

«lésion» Lésion corporelle réelle. S'entend en outre de la grossesse, d'un choc nerveux et de souffrances morales. Le terme «blessé» a un sens correspondant. («injury»)

«ministre» Le procureur général. («Minister»)

- (a) a person who was married to the deceased victim immediately before the deceased victim's death,
- (b) a person of the opposite sex who was living with the deceased victim in a conjugal relationship outside marriage immediately before the death of the deceased victim, or
- (c) a person whose marriage to the deceased victim was terminated by a decree absolute of divorce or was declared a nullity and to whom the deceased victim was providing support or was under a legal obligation to provide support immediately before the death of the deceased person; ("con-joint")

"victim" means a person injured or killed in the circumstances set out in section 5. ("victim") R.S.O. 1980, c. 82, s. 1 (1); 1986, c. 64, s. 5 (1).

«personne à charge» Personne qui dépendait, en totalité ou en partie, des aliments fournis par la victime au moment de son décès, soit :

- a) le conjoint de la victime,
- b) le père ou la mère de la victime, y compris le grand-père ou la grand-mère, et la personne qui a manifesté l'intention bien arrêtée de traiter la victime comme s'il s'agissait d'un enfant de sa famille, à l'exclusion de la personne qui a accueilli en famille d'accueil, moyennant rétribution, la victime qui y était placée par la personne qui en a la garde légitime,
- c) un enfant de la victime,
- d) un frère ou une soeur de la victime,
- e) un autre parent de la victime. («dependant»)

«victime» Personne blessée ou tuée dans les circonstances visées à l'article 5. («victim») L.R.O. 1980, chap. 82, par. 1 (1); 1986, chap. 64, par. 5 (1).

Administra-
tion of Act

2. The Minister is responsible for the administration of this Act. R.S.O. 1980, c. 82, s. 2.

2 Le ministre est chargé de l'application de la présente loi. L.R.O. 1980, chap. 82, art. 2.

Application
de la loi

Criminal
Injuries
Compensa-
tion Board

3.—(1) The Criminal Injuries Compensation Board is continued and shall be composed of such number of members, not fewer than five, as are appointed by the Lieutenant Governor in Council, and the Lieutenant Governor in Council shall appoint one of such members as chair and one or more of them as vice-chairs.

3 (1) La Commission d'indemnisation des victimes d'actes criminels continue d'exister et se compose d'au moins cinq membres nommés par le lieutenant-gouverneur en conseil. Ce dernier nomme, parmi ces membres, un président et un ou plusieurs vice-présidents.

Commission
d'indemnisa-
tion des victi-
mes d'actes
criminels

Board a
corporation

(2) The Board is a corporation to which the *Corporations Act* does not apply.

(2) La Commission est une personne morale à laquelle ne s'applique pas la *Loi sur les personnes morales*.

La Commis-
sion est une
personne
morale

Duties of
chair

(3) The chair shall have general supervision and direction over the conduct of the affairs of the Board, and shall arrange the sittings of the Board and assign members to conduct hearings as circumstances require.

(3) Le président a la surveillance générale et la direction des affaires de la Commission. Il veille à l'organisation des séances de la Commission et désigne ceux de ses membres qui président des audiences selon les circonstances.

Fonctions du
président

Substitute
chair

(4) The chair may designate a vice-chair who shall exercise the powers and perform the duties of the chair when the chair is absent or unable to act. R.S.O. 1980, c. 82, s. 3.

(4) Le président peut désigner un vice-président pour assumer les fonctions du président en cas d'absence ou d'empêchement de celui-ci. L.R.O. 1980, chap. 82, art. 3.

Président sup-
pléant

Publishing
reports

4. The Board shall prepare and periodically publish a summary of its decisions and the reasons therefor. R.S.O. 1980, c. 82, s. 4.

4 La Commission prépare et publie périodiquement un résumé de ses décisions accompagné des motifs. L.R.O. 1980, chap. 82, art. 4.

Publication
des rapports

Injuries
compensable

5. Where any person is injured or killed by any act or omission in Ontario of any other person occurring in or resulting from,

5 Si une personne est blessée ou tuée en Ontario à la suite d'un acte accompli ou d'une omission commise par une autre personne et que l'acte ou l'omission se produit pendant l'accomplissement de l'un des actes suivants ou en résulte :

Lésion
indemnisable

- (a) the commission of a crime of violence constituting an offence against the *Criminal Code* (Canada), including poisoning, arson, criminal negligence and an offence under section 86 of that Act but not including an offence involving the use or operation of a motor vehicle other than assault by means of a motor vehicle;
- (b) lawfully arresting or attempting to arrest an offender or suspected offender for an offence against a person other than the applicant or his or her dependant or against such person's property, or assisting a peace officer in executing his or her law enforcement duties; or
- (c) preventing or attempting to prevent the commission of an offence or suspected offence against a person other than the applicant or his or her dependant or against such person's property,

the Board, on application therefor, may make an order that it, in its discretion exercised in accordance with this Act, considers proper for the payment of compensation to,

- (d) the victim;
- (e) a person who is responsible for the support of the victim;
- (f) where the death of the victim has resulted, the victim's dependants or any of them or the person who was responsible for the support of the victim immediately before his or her death or who has, on behalf of the victim or his or her estate and not being required by law to do so, incurred an expense referred to in clause 7 (1) (a) or (e) arising from the act or omission. R.S.O. 1980, c. 82, s. 5.

Limitation
period for
application

6. An application for compensation shall be made within one year after the date of the injury or death but the Board, before or after the expiry of the one-year period, may extend the time for such further period as it considers warranted. R.S.O. 1980, c. 82, s. 6.

Compensa-
tion

7.—(1) Compensation may be awarded for,

- (a) expenses actually and reasonably incurred or to be incurred as a result of the victim's injury or death;
- (b) pecuniary loss incurred by the victim as a result of total or partial disability affecting the victim's capacity for work;

- a) la perpétration d'un acte de violence criminel à l'encontre du *Code criminel* (Canada), y compris l'empoisonnement, le crime d'incendie, la négligence criminelle et l'infraction prévue à l'article 86 du Code, à l'exclusion d'une infraction impliquant l'utilisation ou la conduite d'un véhicule automobile qui ne constitue pas des voies de fait commises à l'aide de ce véhicule;
- b) l'arrestation légitime ou la tentative légitime d'arrestation de l'auteur réel ou soupçonné d'une infraction commise contre une personne autre que le requérant ou la personne à sa charge, ou contre les biens de cette personne, ou l'aide apportée à un agent de la paix dans l'exercice de ses fonctions d'exécution de la loi;
- c) la prévention ou la tentative de prévention de la perpétration d'une infraction, réelle ou soupçonnée, contre une personne autre que le requérant ou la personne à sa charge, ou contre les biens de cette personne,

la Commission peut, sur requête et dans l'exercice des pouvoirs discrétionnaires que la présente loi lui reconnaît, rendre l'ordonnance qu'elle estime opportune pour le versement d'une indemnité :

- d) à la victime;
- e) à la personne tenue de fournir des aliments à la victime;
- f) lorsque le décès de la victime résulte de l'acte ou de l'omission, à la personne à sa charge, ou à la personne tenue de fournir des aliments à la victime au moment de son décès, ou à celle qui, pour le compte de la victime ou de sa succession, sans que la loi ne l'y oblige, a engagé les dépenses visées à l'alinéa 7 (1) a) ou e), si ces dépenses résultent de l'acte ou de l'omission. L.R.O. 1980, chap. 82, art. 5.

6 La requête en indemnisation doit être présentée dans l'année qui suit la date de la lésion ou du décès. La Commission peut toutefois, avant ou après l'expiration de cette période d'un an, proroger le délai d'une durée qu'elle juge justifiée. L.R.O. 1980, chap. 82, art. 6.

Délai de
prescription

7 (1) L'indemnité peut être accordée pour l'un des motifs suivants :

Indemnité

- a) les dépenses raisonnablement et réellement engagées ou à prévoir du fait de la lésion ou du décès de la victime;
- b) la perte pécuniaire subie par la victime du fait d'une invalidité totale ou partielle qui nuit à sa capacité de travail;

(c) pecuniary loss incurred by dependants as a result of the victim's death;

(d) pain and suffering;

(e) support of a child born as a result of rape;

(f) other pecuniary loss resulting from the victim's injury and any expense that, in the opinion of the Board, it is reasonable to incur.

c) la perte pécuniaire subie par les personnes à charge de la victime du fait de son décès;

d) la douleur et les souffrances;

e) les aliments fournis à un enfant né par suite d'un viol;

f) une autre perte pécuniaire subie du fait de la lésion de la victime et les dépenses qui, de l'avis de la Commission, peuvent être raisonnablement engagées.

Idem

(2) Where the injury to a person occurred in the circumstances mentioned in clause 5 (b) or (c), the Board may, in addition to the compensation referred to in subsection (1), award compensation to the injured person for any other damage resulting from the injury for which damages may be recovered at common law. R.S.O. 1980, c. 82, s. 7.

(2) Si la personne a été blessée dans les circonstances visées à l'alinéa 5 b) ou c), la Commission peut, outre l'indemnité prévue au paragraphe (1), lui accorder une indemnité pour un autre préjudice résultant d'une lésion pour laquelle des dommages-intérêts peuvent être recouvrés en common law. L.R.O. 1980, chap. 82, art. 7.

Idem

Referral for hearing

8. Where an application is made under section 5, the chair of the Board shall refer the application,

(a) to the Board for a hearing conducted by at least two members of the Board; or

(b) to one member of the Board for a hearing,

as the chair may direct. R.S.O. 1980, c. 82, s. 8.

8 Si la requête est faite en vertu de l'article 5, le président de la Commission la renvoie, selon le cas :

Renvoi

a) à la Commission, dont deux membres, au moins, tiennent une audience;

b) à un seul membre de la Commission qui tient une audience. L.R.O. 1980, chap. 82, art. 8.

Notice of hearing by one member of Board

9.—(1) The Board or member to whom an application is referred under section 8 shall fix a time and place for the hearing of the application and shall at least ten days before the day fixed cause notice thereof to be served upon the applicant, upon the Minister, upon the offender where practicable and upon any other person appearing to the Board or member to have an interest in the application.

9 (1) La Commission ou le membre à qui une requête a été renvoyée en vertu de l'article 8 fixe le lieu et la date de l'audition de la requête. Au moins dix jours avant la date ainsi fixée, la Commission ou le membre fait signifier un avis de l'audience au requérant, au ministre, à l'auteur de l'infraction si cela est possible, ainsi qu'aux autres personnes qui, de l'avis de la Commission ou du membre, peuvent être intéressées.

Avis de convocation à l'audience

Parties

(2) Every person upon whom notice of a hearing is served and any other person added by the Board or member is a party to the proceeding.

(2) Sont parties à l'instance, les personnes à qui est signifié un avis de l'audience et celles que la Commission ou le membre a ajoutées.

Parties à l'instance

Jurisdiction of member

(3) The Board or member shall hold the hearing and make an order under section 5, and, subject to section 10, this Act applies in respect of the hearing and jurisdiction of the member in the same manner as to the Board. R.S.O. 1980, c. 82, s. 9.

(3) La Commission ou le membre tient l'audience et rend une ordonnance en vertu de l'article 5. Sous réserve de l'article 10, la présente loi s'applique à l'égard de l'audience et de la compétence du membre de la même façon qu'à la Commission. L.R.O. 1980, chap. 82, art. 9.

Compétence du membre

Hearing and review by Board

10.—(1) Where an application is heard by a single member of the Board under section 9, the applicant or the Minister may, within fifteen days after service of the decision of the member, require a hearing and review by the Board and the Board shall fix a time and place for the hearing and shall at least ten days before the day fixed cause notice

10 (1) Si, en application de l'article 9, la requête est entendue par un seul membre, le requérant ou le ministre, dans les quinze jours de la signification de la décision du membre, peut demander à la Commission une audience et la révision de la décision. La Commission fixe le lieu et la date de l'audience et en fait signifier un avis aux parties

Audience et révision par la Commission

thereof to be served upon the parties to the proceeding.

Adding parties

(2) The Board may add persons as parties to the proceeding during a review under this section.

Quorum

(3) The hearing shall be conducted and the jurisdiction of the Board shall be exercised by at least two members of the Board and the member whose decision is being reviewed shall not sit on the review.

Order of Board

(4) After a hearing and review by the Board under this section, the Board shall make its order in accordance with this Act and its order supersedes the order of a single member made under section 9 that is the subject of the hearing and review. R.S.O. 1980, c. 82, s. 10.

Conviction as conclusive evidence

11. If a person is convicted of a criminal offence in respect of an act or omission on which a claim under this Act is based, proof of the conviction shall, after the time for an appeal has expired or, if an appeal was taken, it was dismissed and no further appeal is available, be taken as conclusive evidence that the offence has been committed. R.S.O. 1980, c. 82, s. 11.

Hearings to be open to public; exceptions

12. All hearings shall be held in public except where, in the opinion of the Board, it is necessary to hold a hearing that is closed to the public for the reason that a public hearing,

(a) would be prejudicial to the final disposition of the criminal proceedings against the person whose act or omission caused the injury or death; or

(b) would not be in the interests of the victim, or of the dependants of the victim, of an alleged sexual offence or child abuse. R.S.O. 1980, c. 82, s. 12; 1986, c. 37, s. 1.

Publication of evidence

13.—(1) The Board may make an order prohibiting the publication of any report or account of the whole or any part of the evidence at a hearing where the Board considers it necessary but in making an order under this subsection the Board shall have regard to the desirability of permitting the public to be informed of the principles and nature of each case. R.S.O. 1980, c. 82, s. 13 (1).

Offence

(2) Any person who publishes a report or account of any evidence at a hearing contrary to an order of the Board under subsection (1) is guilty of an offence and on conviction is liable to a fine of not more than \$5,000 or to imprisonment for a term of not more than

à l'instance au moins dix jours avant la date ainsi fixée.

(2) La Commission peut ajouter d'autres parties à une instance faisant l'objet d'une révision en vertu du présent article.

Autres parties à l'instance

(3) L'audience est tenue et la compétence de la Commission est exercée par au moins deux de ses membres. Le membre dont la décision fait l'objet de la révision ne siège pas.

Quorum

(4) Après que la Commission a tenu l'audience et procédé à la révision en vertu du présent article, elle rend conformément à la présente loi une ordonnance qui remplace celle qu'un membre a rendue en vertu de l'article 9. L.R.O. 1980, chap. 82, art. 10.

Ordonnance de la Commission

11 Si une personne est déclarée coupable d'une infraction criminelle à la suite d'un acte ou d'une omission sur quoi se fonde une demande d'indemnisation en vertu de la présente loi, la preuve de la déclaration de culpabilité est tenue pour preuve concluante que l'infraction a été commise après l'expiration du délai d'appel ou, s'il y a eu un appel, après qu'il a été rejeté et qu'il n'y a plus de recours possible. L.R.O. 1980, chap. 82, art. 11.

Déclaration de culpabilité tenue pour preuve concluante

12 Les audiences sont publiques, sauf si la Commission estime nécessaire de siéger à huis clos du fait qu'une audience publique :

Audiences publiques, exceptions

a) serait préjudiciable au règlement définitif des poursuites criminelles intentées contre l'auteur de l'acte ou de l'omission qui a entraîné la lésion ou le décès de la victime;

b) serait contraire aux intérêts de la victime ou des personnes à sa charge, lorsque l'auteur de l'acte ou de l'omission est accusé d'une infraction d'ordre sexuel ou de mauvais traitements envers un enfant. L.R.O. 1980, chap. 82, art. 12; 1986, chap. 37, art. 1.

13 (1) La Commission, si elle l'estime nécessaire, peut rendre une ordonnance interdisant la publication d'un rapport ou d'un exposé de l'ensemble ou d'une partie de la preuve présentée à l'audience. Toutefois, la Commission tient compte de l'opportunité de permettre que le public soit informé des principes et de la nature de chaque cause. L.R.O. 1980, chap. 82, par. 13 (1).

Publication de la preuve

(2) Quiconque publie un rapport ou un exposé de tout ou partie de la preuve présentée à l'audience contrairement à une ordonnance de la Commission rendue en vertu du paragraphe (1), est coupable d'une infraction et passible, sur déclaration de culpabilité,

Infraction

one year, or to both. R.S.O. 1980, c. 82, s. 13 (2); 1989, c. 72, s. 18, *part*.

d'une amende d'au plus 5 000 \$ et d'un emprisonnement d'au plus un an, ou d'une seule de ces peines. L.R.O. 1980, chap. 82, par. 13 (2); 1989, chap. 72, art. 18, *en partie*.

Corporations

(3) Where a corporation is convicted of an offence under subsection (2), the maximum penalty that may be imposed upon the corporation is \$50,000 and not as provided therein. R.S.O. 1980, c. 82, s. 13 (3); 1989, c. 72, s. 18, *part*.

(3) Si une personne morale est déclarée coupable d'une infraction visée au paragraphe (2), elle est passible d'une peine maximale de 50 000 \$ et non de la peine prévue à ce paragraphe. L.R.O. 1980, chap. 82, par. 13 (3); 1989, chap. 72, art. 18, *en partie*.

Personne morale

Interim compensation

14. Where,

14 La Commission peut, à sa discrétion, ordonner que soient versés des paiements provisoires au requérant à titre d'aliments, de frais médicaux et de frais funéraires, si :

Indemnité provisoire

- (a) the applicant is in actual financial need; and
- (b) it appears to the Board that it will probably award compensation to the applicant,

a) d'une part, il éprouve de réelles difficultés financières;

b) d'autre part, la Commission estime qu'elle lui accordera probablement une indemnité.

the Board may, in its discretion, order interim payments to the applicant in respect of support, medical expenses and funeral expenses and, if compensation is not awarded, the amount so paid is not recoverable from the applicant. R.S.O. 1980, c. 82, s. 14; 1986, c. 37, s. 2.

Si l'indemnité n'est pas accordée, les montants versés ne sont pas recouvrables du requérant. L.R.O. 1980, chap. 82, art. 14; 1986, chap. 37, art. 2.

Service

15.—(1) Any notice or document required to be served under this Act or the regulations is sufficiently served if delivered personally or sent by registered mail addressed to the person upon whom service is required to be made at the latest address for service appearing on the records of the Board.

15 (1) L'avis ou le document dont la présente loi ou les règlements exigent la signification est valablement signifié à personne ou envoyé par courrier recommandé au destinataire à son dernier domicile élu mentionné dans les dossiers de la Commission.

Signification

Idem

(2) Where any notice or document mentioned in subsection (1) is served by registered mail, the service shall be deemed to be made on the third day after the day of mailing unless the person to be served did not, acting in good faith, through absence, accident, illness or other cause beyond the person's control, receive the notice or document or receive it until a later date.

(2) Si la signification de l'avis ou du document visé au paragraphe (1) est faite par courrier recommandé, elle est réputée faite le troisième jour qui suit la date de la mise à la poste, à moins que le destinataire, agissant de bonne foi, n'ait pas reçu cet avis ou ce document, ou qu'il ne l'ait reçu à une date ultérieure à la suite d'absence, d'accident, de maladie ou d'un autre motif indépendant de sa volonté.

Idem

Exception

(3) Despite subsections (1) and (2), the Board may order any other method of service of any notice or document mentioned in subsection (1). R.S.O. 1980, c. 82, s. 15.

(3) Malgré les paragraphes (1) et (2), la Commission peut, par ordonnance, imposer un autre moyen de signification de l'avis ou du document mentionné au paragraphe (1). L.R.O. 1980, chap. 82, art. 15.

Exception

Compensation not dependent on a conviction

16.—(1) An order for compensation may be made whether or not any person is prosecuted for or convicted of the offence giving rise to the injury or death but the Board may, on its own initiative or upon the application of the Minister, adjourn its proceedings pending the final determination of a prosecution or intended prosecution.

16 (1) L'ordonnance d'indemnisation peut être rendue qu'une personne soit ou non poursuivie ou déclarée coupable de l'infraction qui a causé la lésion ou le décès. Toutefois, la Commission, de sa propre initiative ou sur la requête du ministre, peut ajourner ses travaux en attendant le résultat définitif d'une poursuite intentée ou prévue.

L'indemnité n'est pas liée à la déclaration de culpabilité

Capacity for criminal intent

(2) Even though a person for any reason is legally incapable of forming criminal intent, the person shall, for the purposes of this Act, be deemed to have intended an act

(2) Même si une personne est juridiquement incapable de former une intention criminelle, elle est, pour l'application de la présente loi, réputée avoir eu l'intention de

Intention criminelle

or omission that caused injury or death for which compensation is payable under this Act. R.S.O. 1980, c. 82, s. 16.

Considerations of Board

17.—(1) In determining whether to make an order for compensation and the amount thereof, the Board shall have regard to all relevant circumstances, including any behaviour of the victim that may have directly or indirectly contributed to his or her injury or death. R.S.O. 1980, c. 82, s. 17 (1).

Idem

(2) The Board may, in its discretion, refuse to make an order for compensation or order a reduced amount of compensation where it is satisfied that the applicant has refused reasonable co-operation with, or failed to report promptly the offence to, a law enforcement agency. R.S.O. 1980, c. 82, s. 17 (2); 1986, c. 37, s. 3 (1).

Idem

(3) In assessing compensation, the Board shall take into consideration any benefit, compensation or indemnity paid or payable to the applicant from any source other than general welfare assistance or family benefits. 1986, c. 37, s. 3 (2).

Form of compensation

18. The Board may order compensation to be paid in a lump sum or in periodic payments, or both, as the Board thinks fit. R.S.O. 1980, c. 82, s. 18.

Maximum awards

19.—(1) The amount awarded by the Board to be paid in respect of the injury or death of one victim shall not exceed,

- (a) in the case of lump sum payments, \$25,000; and
- (b) in the case of periodic payments, \$1,000 per month,

and where both lump sum and periodic payments are awarded, the lump sum shall not exceed half of the maximum therefor prescribed in clause (a). R.S.O. 1980, c. 82, s. 19 (1); 1986, c. 37, s. 4 (1, 2).

Maximum total of payments for occurrence

(2) The total amount awarded by the Board to be paid to all applicants in respect of any one occurrence shall not exceed,

- (a) in the case of lump sum payments, a total of \$150,000; and
- (b) in the case of periodic payments, a total of \$250,000. R.S.O. 1980, c. 82, s. 19 (2); 1986, c. 37, s. 4 (3, 4).

Proportional distribution

(3) Where the total amount awarded in respect of any one occurrence exceeds the maximum amount prescribed by subsection (2), the amount prescribed shall be distributed in proportion to the amounts of the

commettre l'acte ou l'omission qui a causé la lésion ou le décès donnant lieu à l'indemnisation. L.R.O. 1980, chap. 82, art. 16.

17 (1) Lorsque la Commission étudie l'opportunité de rendre l'ordonnance d'indemnisation et d'en fixer le montant, elle tient compte de toutes les circonstances pertinentes, y compris le comportement de la victime susceptible d'avoir contribué, directement ou indirectement, à la lésion ou au décès. L.R.O. 1980, chap. 82, par. 17 (1).

Considérations de la Commission

(2) La Commission peut, à sa discrétion, refuser de rendre l'ordonnance d'indemnisation ou ordonner une réduction du montant de l'indemnité si elle est convaincue que le requérant a refusé de coopérer suffisamment avec un organisme chargé de l'exécution de la loi ou ne lui a pas signalé promptement l'infraction. L.R.O. 1980, chap. 82, par. 17 (2); 1986, chap. 37, par. 3 (1).

Idem

(3) La Commission, lorsqu'elle évalue le montant de l'indemnité, tient compte de toute prestation, rétribution ou indemnité versée ou due au requérant par source quelconque autre que l'aide sociale générale ou les prestations familiales. 1986, chap. 37, par. 3 (2).

Idem

18 La Commission, selon ce qu'elle estime opportun, peut ordonner le paiement de l'indemnité sous la forme d'un montant forfaitaire ou de versements périodiques, ou des deux. L.R.O. 1980, chap. 82, art. 18.

Modalités de paiement

19 (1) Le montant accordé par la Commission par suite de la lésion ou du décès d'une seule victime ne doit pas dépasser :

Maximum de l'indemnité

- a) 25 000 \$ dans le cas d'un montant forfaitaire;
- b) 1 000 \$ par mois dans le cas de versements périodiques.

Si la Commission accorde à la fois un montant forfaitaire et des versements périodiques, le montant forfaitaire ne doit pas dépasser la moitié du maximum prévu à l'alinéa a). L.R.O. 1980, chap. 82, par. 19 (1); 1986, chap. 37, par. 4 (1) et (2).

(2) Le montant total accordé par la Commission à tous les requérants par suite d'un seul événement ne doit pas dépasser :

Montant total de l'indemnité pour un seul événement

- a) 150 000 \$ au total dans le cas des montants forfaitaires;
- b) 250 000 \$ au total dans le cas de versements périodiques. L.R.O. 1980, chap. 82, par. 19 (2); 1986, chap. 37, par. 4 (3) et (4).

(3) Si le montant total accordé par la Commission par suite d'un seul événement dépasse le maximum prescrit au paragraphe (2), ce maximum est réparti proportionnelle-

Distribution proportionnelle

awards that would otherwise have been made.

Acts deemed an occurrence

(4) For the purposes of this section, the Board may deem more than one act to be one occurrence where the acts have a common relationship in time and place.

Application of subss. (1) and (2)

(5) Subsection (1) does not apply to amounts awarded in respect of an injury or death incurred under clause 5 (b) or (c) and such amounts shall not be taken into account for the purposes of subsection (2). R.S.O. 1980, c. 82, s. 19 (3-5).

Award not subject to garnishment, etc.

20. Any money paid or payable by way of compensation under this Act or held by the Public Trustee or other person under an order made by the Board under subsection 21 (3) is not subject to garnishment, attachment, execution, set-off or any other legal process and the right thereto is not assignable. R.S.O. 1980, c. 82, s. 20.

Conditions of payment

21.—(1) An order for the payment of compensation may be made subject to such terms and conditions as the Board thinks fit,

(a) with respect to the payment, disposition, allotment or apportionment of the compensation; or

(b) as to the holding of the compensation or any part thereof in trust for the victim or the dependants, or any of them, whether as a fund for a class or otherwise.

Idem

(2) Any compensation payable for expenses under section 7 may, in the discretion of the Board, be paid directly to the person entitled thereto.

Payments in case of minor, etc.

(3) If a person entitled to an award under this Act is under the age of eighteen years or is of unsound mind or in the opinion of the Board is incapable of managing his or her own affairs, any amount payable may be paid on his or her behalf to his or her parent, spouse or committee or to the Public Trustee or may be paid to such other person or applied in such manner as the Board considers in the best interest of such person, and amounts so paid shall be received and administered by the payee for the benefit of the person. R.S.O. 1980, c. 82, s. 21.

Costs

22. Despite section 19, the Board may, with respect to any hearing or other step in a proceeding under this Act, make such order as to costs as it thinks fit. R.S.O. 1980, c. 82, s. 22.

ment aux montants qui auraient été accordés autrement.

(4) Pour l'application du présent article, la Commission peut décider que plusieurs faits ne constituent qu'un seul événement s'il y a entre eux un rapport de temps et de lieu.

Faits considérés comme un seul événement

(5) Le paragraphe (1) ne s'applique pas aux montants accordés à l'égard d'une lésion ou d'un décès survenus dans les circonstances prévues à l'alinéa 5 b) ou c). Il n'est pas tenu compte de ces montants pour l'application du paragraphe (2). L.R.O. 1980, chap. 82, par. 19 (3) à (5).

Champ d'application des par. (1) et (2)

20 Les sommes d'argent versées ou dues à titre d'indemnité en vertu de la présente loi ou que détient le curateur public ou une autre personne aux termes d'une ordonnance rendue par la Commission en vertu du paragraphe 21 (3) ne peuvent faire l'objet d'une saisie-arrêt, saisie-exécution, exécution, compensation ou autre procédure judiciaire. Le droit à ces sommes est incessible. L.R.O. 1980, chap. 82, art. 20.

L'indemnité ne peut faire l'objet d'une saisie-arrêt, d'autres procédures judiciaires

21 (1) L'ordonnance de versement de l'indemnité peut être assortie des conditions que la Commission estime opportunes et qui concernent :

Conditions de versement

a) son paiement, sa disposition, son attribution ou sa répartition;

b) son dépôt en fiducie, en totalité ou en partie, pour le compte de la victime ou des personnes à sa charge, que ce fonds soit constitué pour un groupe de personnes ou pour un autre usage.

Idem

(2) La Commission peut, si elle l'estime opportun, verser directement au bénéficiaire l'indemnité pour dépenses prévue à l'article 7.

(3) Si le bénéficiaire de l'indemnité est âgé de moins de dix-huit ans, est faible d'esprit ou, que de l'avis de la Commission, il est incapable de gérer ses propres affaires, le versement auquel il a droit peut être fait, en sa faveur, à son père ou sa mère, son conjoint, le curateur à sa personne ou à ses biens ou au curateur public. En outre, le versement peut être fait à une autre personne ou l'indemnité utilisée de la façon que la Commission estime être dans l'intérêt véritable du bénéficiaire. Les montants ainsi versés sont perçus par le preneur, qui les administre au profit du bénéficiaire. L.R.O. 1980, chap. 82, art. 21.

Versements faits aux mineurs, aux incapables

22 Malgré l'article 19, la Commission peut, relativement à une audience ou à une autre mesure prise dans une instance tenue en vertu de la présente loi, rendre l'ordonnance qu'elle estime opportune à l'égard des dépens. L.R.O. 1980, chap. 82, art. 22.

Dépens

Appeal

23. Subject to section 25, a decision of the Board is final except that an appeal lies to the Divisional Court from any decision of the Board on any question of law. R.S.O. 1980, c. 82, s. 23.

23 Sous réserve de l'article 25, la décision de la Commission est définitive. Toutefois, un appel peut être interjeté devant la Cour divisionnaire concernant une question de droit. L.R.O. 1980, chap. 82, art. 23.

Appel

Release of exhibits

24. The Board shall, upon request, release documents and things put in evidence at a hearing to the lawful owner or the person entitled to possession thereof within a reasonable time after the matter in issue has been finally determined. R.S.O. 1980, c. 82, s. 24.

24 Après le règlement définitif du litige, la Commission remet, sur demande et dans un délai raisonnable, au propriétaire légitime ou à la personne qui y a droit, les documents et objets présentés en preuve à l'audience. L.R.O. 1980, chap. 82, art. 24.

Remise des pièces

Variation of award

25.—(1) The Board may at any time on its own initiative or on the application of the victim, any dependant of the victim, the Minister or the offender, vary an order for payment of compensation in such manner as the Board thinks fit, whether as to terms of the order or by increasing or decreasing the amount ordered to be paid, or otherwise.

25 (1) À la requête de la victime, d'une personne à sa charge, du ministre, de l'auteur de l'infraction ou de sa propre initiative, la Commission peut en tout temps modifier une ordonnance de versement d'indemnité de la façon qu'elle estime opportune, qu'il s'agisse des conditions de l'ordonnance, d'une augmentation ou d'une diminution du montant accordé ou d'autre chose.

Modification de l'ordonnance d'indemnisation

Idem

(2) In a proceeding under subsection (1), the Board shall consider,

(2) Lors d'une instance introduite en vertu du paragraphe (1), la Commission tient compte :

Idem

- (a) any new evidence that has become available;
- (b) any change of circumstances that has occurred since the making of the order or any variation thereof, as the case may be, or that is likely to occur; and
- (c) any other matter the Board considers relevant.

- a) d'une nouvelle preuve qui lui est soumise;
- b) d'un changement de circonstances survenu depuis que l'ordonnance a été rendue ou modifiée, selon le cas, ou qui surviendra vraisemblablement;
- c) d'autres questions qu'elle estime pertinentes.

Procedure, etc., on review

(3) This Act, except section 6, applies to a review under subsection (1) in the same manner as to an application for compensation. R.S.O. 1980, c. 82, s. 25.

(3) La présente loi, à l'exception de l'article 6, s'applique à la révision faite en vertu du paragraphe (1) de la même manière qu'à une requête en indemnisation. L.R.O. 1980, chap. 82, art. 25.

Procédure à suivre lors d'une révision

Civil proceedings

26.—(1) Subject to subsections (2), (4) and (5), nothing in this Act affects the right of any person to recover from any other person by civil proceedings damages in respect of the injury or death.

26 (1) Sous réserve des paragraphes (2), (4) et (5), la présente loi n'a pas pour effet de porter atteinte au droit de quiconque de recouvrer de toute autre personne, au moyen d'une instance civile, des dommages-intérêts par suite de la lésion ou du décès.

Instance civile

Subrogation

(2) The Board is subrogated to all the rights of the person to whom payment is made under this Act to recover damages by civil proceedings in respect of the injury or death and may maintain an action in the name of such person against any person against whom such action lies, and any amount recovered by the Board shall be applied,

(2) La Commission est subrogée aux droits du bénéficiaire du paiement fait en vertu de la présente loi, de recouvrer, au moyen d'une instance civile, des dommages-intérêts à l'égard de la lésion ou du décès. La Commission peut ester en justice au nom du bénéficiaire contre n'importe quel défendeur. Les montants recouvrés par la Commission servent :

Subrogation

- (a) first, to payment of the costs actually incurred in the action and in levying execution; and
- (b) second, to reimbursement of the Board for the value of the compensation awarded,

- a) d'abord, à payer les frais réellement engagés dans l'action et pour obtenir la saisie-exécution;
- b) ensuite, à rembourser la Commission de l'indemnité accordée.

Le reliquat du montant, le cas échéant, est versé à la personne dont les droits ont été

and the balance, if any, shall be paid to the person whose rights were subrogated. R.S.O. 1980, c. 82, s. 26 (1, 2).

subrogés. L.R.O. 1980, chap. 82, par. 26 (1) et (2).

Idem (3) The Board may elect to limit the amount for which it is subrogated to the amount of compensation that it has paid in respect of the person whose rights were subrogated by limiting its claim to the amount so paid and, where it so elects, may maintain the action in the name of the Minister. 1986, c. 37, s. 5 (1).

Idem (3) La Commission peut choisir de limiter le montant de la subrogation ainsi que de sa demande à celui de l'indemnisation qu'elle a effectivement versée à la personne dont les droits ont été subrogés. Elle peut, dans ce cas, ester en justice au nom du ministre. 1986, chap. 37, par. 5 (1).

Settlement (4) Any settlement or release does not bar the rights of the Board under subsection (2) unless the Board has concurred therein.

Transaction ou renonciation (4) Une transaction ou une renonciation ne mettent pas fin aux droits de la Commission prévus par le paragraphe (2), sauf si elle les a approuvés.

Civil actions (5) An applicant for or a person awarded compensation shall forthwith notify the Board of any action brought against the offender who caused the injury or death of the victim. R.S.O. 1980, c. 82, s. 26 (3, 4).

Action civile (5) Le requérant ou le bénéficiaire d'une indemnité avise sans délai la Commission de l'action qu'il a intentée contre l'auteur de l'infraction qui a causé la lésion ou le décès de la victime. L.R.O. 1980, chap. 82, par. 26 (3) et (4).

Person to assist (6) A person awarded compensation shall give the Board such information and co-operation as he or she can furnish to assist the Board in maintaining a subrogated action for damages against the offender who caused the injury or death of the victim. 1986, c. 37, s. 5 (2).

Aide apportée par le bénéficiaire (6) Le bénéficiaire d'une indemnité fournit à la Commission les renseignements et la coopération qu'il peut apporter afin d'aider la Commission dans l'exercice d'une action en dommages-intérêts visée au présent article contre l'auteur de l'infraction qui a causé la lésion ou le décès de la victime. 1986, chap. 37, par. 5 (2).

Payment of compensation 27.—(1) Compensation ordered to be paid shall be paid out of the money appropriated therefor by the Legislature.

Versement de l'indemnité 27 (1) L'indemnité versée est prélevée sur les sommes affectées à cette fin par la Législature.

Disposition of money recovered (2) Any reimbursement to the Board under section 26 shall be paid into the Consolidated Revenue Fund. R.S.O. 1980, c. 82, s. 27.

Affectation des fonds recouvrés (2) Le remboursement fait à la Commission en vertu de l'article 26 est versé au Trésor. L.R.O. 1980, chap. 82, art. 27.

Regulations 28. The Lieutenant Governor in Council may make regulations,

Règlements 28 Le lieutenant-gouverneur en conseil peut, par règlement :

(a) prescribing rules of practice and procedure in respect of applications to the Board and proceedings of the Board;

a) prescrire les règles de pratique et de procédure relatives aux requêtes faites à la Commission et aux instances devant celle-ci;

(b) requiring the payment of fees in respect of any matter in the jurisdiction of the Board, including witness fees, and prescribing the amounts thereof;

b) prescrire les droits à verser relativement à toute question qui relève de la compétence de la Commission, y compris les indemnités des témoins et en exiger le paiement;

(c) prescribing forms for the purposes of this Act and providing for their use;

c) prescrire des formules pour l'application de la présente loi et prévoir les modalités de leur emploi;

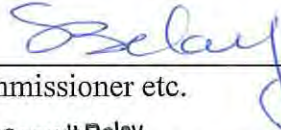
(d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1980, c. 82, s. 28.

d) traiter de toute question utile ou nécessaire pour réaliser efficacement l'objet de la présente loi. L.R.O. 1980, chap. 82, art. 28.

Agreements with Canada 29. The Crown in right of Ontario represented by the Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada respecting the payment by Canada to

Entente avec le gouvernement du Canada 29 La Couronne du chef de l'Ontario que représente le ministre peut, avec l'approbation du lieutenant-gouverneur en conseil, conclure des ententes avec la Couronne du chef du Canada concernant le paiement par

This is **Exhibit "C"** referred to
in the Affidavit of Bruce Rivers,
sworn on this 10th day of June,
2016.



A Commissioner etc.

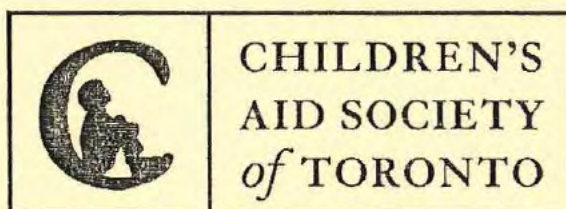
Senayit Belay,
a Commissioner, etc., Province of
Ontario, while a Student-at-Law.
Expires January 14, 2019.

THE CRIMINAL INJURIES COMPENSATION PROJECT

ADMINISTRATIVE MANUAL

July 2003

Made by Tracy Ford, tracy@techno.ca for:



Criminal Injuries Compensation Project

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PART 1: PROJECT INTRODUCTION

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

Project History

June 2003

The Criminal Injuries Compensation Project began in 1995 as an agency initiative to ensure the submission of an application to the Criminal Injuries Compensation Board of Ontario on behalf of all eligible youth and children in our care. With a grant from the Children's Aid Foundation, Pat Convery developed and piloted this innovative project.

Initially, volunteers were experienced individuals with past experience in Child Welfare. While this early injection of expertise helped to get the project up and running, funding from the Foundation was extended for a second year to see through the initial piloting. Even at that time, the need for Criminal Injuries Compensation was recognized agency wide.

Following the successful piloting, the project was rolled into the Long-Term Care budget, and was coordinated by Diane Watson, Tracy Ford and Tanya Veinot who stayed with the project for the following two years. A great deal of effort was put forward during these years to process the backlog that resulted from the popularity of the project.

After two years of working at the Criminal Injuries Board, Tracy Ford returned to the project with superior knowledge of the Board's policies and expectations for claims. Tracy also brought with her a great deal of community development/advocacy experience around youth issues to revitalize the project.

In the past few years, the project has increased access and profile both within and without Toronto CAS, and increased the effectiveness of the project through ongoing development and excellent record keeping. Other CAS's and community agencies have requested information, seminars and training. Within the agency its self, the effectiveness of the project is well known and highlighted by the steady stream of new referrals coming in.

The project is a popular volunteer and placement choice for many young people; by participating in this opportunity, participants gain excellent exposure to Child Welfare forms and practices, government bureaucracy and to the children of Long Term Care.

This year the project is attempting to identify outside funding partners, to establish a pool of well trained volunteers, to establish a group for our youth to write their victim impact statements, and to evaluate the project, within the next three years. We will complete an updated administrative manual, and refine our volunteer training techniques and resources.

If you have any questions about program eligibility, or the project itself, Tracy can be reached for consultation and questions on Monday and Friday at extension 2089.

Criminal Injuries Compensation Project
Types of Wards & Long Term Care

1. Children's Aid has several types of Wards
 - a) **Voluntary Agreement**, Non-Ward: child is receiving services from CAS with agreement of parent.
 - b) **Special Needs Agreement**- Families with special needs children, (ie, significant physical and/or mental abilities)
 - c) **Society Ward**- Child is in foster care, this placement is time limited; at the end of the time, either they are returned to their caregivers or they become Crown Wards
 - d) **Crown Ward**- Child is removed from their family and become a Ward of the State. They will not be returned to their family.
2. Our project deals with children and youth who are **Crown Wards**.
3. All of the Social Workers who work with Crown Wards work in a unit called **Long Term Care**
4. This project is also in Long Term Care

Criminal Injuries Compensation Project
Terminology and Abbreviations

CICB Jargon:

1. **The Board, CICB:** the Criminal Injuries Board
2. **Alleged offender or A/O:** the individual named as the perpetrator of violence to our claimant. The Board uses alleged offender in all cases; however, technically, once there is a conviction, the person can be called the offender.
3. **CSU:** Client Services Unit.
4. **Intakes or Intake Interview:** although technically, an citizen of the province is entitled to a hearing, the Intake interview conducted by CSU staff, is designed to 'screen out' ineligible applicants. The intake interview establishes that the incident occurred in Ontario, whether or not an extension is required and other details of the incident.
5. **Extensions:** When a file is made, for an adult over the age of 19, for an incident that occurred more than 2 years before the date of the intake interview, they must proceed with their claim by undergoing a review by the Vice Chair of the Board. This process is considered a 'Request to Extend' the time limit for making a claim. The vice chair is attempting to determine if there is enough documentary evidence for the file to proceed to a hearing. If an extension is approved, the file then begins 'regular' processing and is assigned to an analyst.
6. **PQ or Police Questionnaire:** For each file submitted, the Board will send out a 2 page document to the officers noted on the application forms. The PQ asks the officers the nature of the charges, if the victim did anything to cause the incident, whether there was a conviction, and asks for any comments of the officer. This is one of the most significant documents in a victim compensation claim- an analyst will not put a file forward without a completed PQ.
7. **Analyst:** the analyst is the individual at the Board who manages each case to ensure that all necessary documents are gathered and organized for the Board member to review.
8. **Analyst Reports:** These are similar to the PQ, but they are forms generated by the Board for medical/psychological practitioners to complete. These reports are designed to show the Board the nature of the injuries and the extent of the long-term nature of those injuries. They are extremely important in the Board member's assessment of the claim.
9. **RTBH:** This is basically a 'waiting list'. When a file is completed and the analyst forwards it to the hearings unit, there is a backlog of files waiting scheduling for a hearing date. Each file is placed in priority sequence, first come first serve. The Ready to be Heard (RTBH) list is that list.
10. **FOI:** stands for 'Freedom of Information'. The Board has one staff who acts as Freedom of Information officer who is responsible for issuing claims information to those who request it. Usually, all 3rd party information is blacked out to protect the privacy of those individuals. We routinely do FOI requests to the Board when a file is on the RTBH list so we can get copies of the PQ, Court Documents and Analyst reports. Usually the FOI officer sends us our entire file back, and we then take the documents we do not have on our CAS mirror file.
11. **Hearings, Oral hearings, and Documentary hearings:** There is a hearings unit at the board. Their job is to coordinate, schedule and process claims before the hearing date. Hearings come in two forms at the Board Oral and Documentary. In most cases, the Board suggests oral hearings so that they may view the victim in order to do a personal assessment. In the case of a Documentary Hearing, the board members simply review the documents contained in the file and the victim does not have to present to the members.

Police Jargon:

1. **Police officers:** In any given case, there may be several officers involved in a particular incident. The officer, who responds to the initial call, may be different than the officer who does the investigation. For our work, we can contact both officers, but it is good to find out which officer wrote the Crown Brief. When filling out our application forms, we always put the current location of the investigating officer on the CICB application forms.
2. **Occurrence:** When a member of the community, an agency staff, or the victim themselves call the police, officers record the incident, give it a reference number and input the details into their computer data base. The occurrence then, refers both to a report and a file number. We look for both pieces of information for our claims.
3. **Arrest:** Police will not arrest an alleged offender until they feel there is a good chance of securing a conviction. An arrest usually follows an investigation where the police interview as many parties involved to identify the nature of the incident. If they feel that the alleged offender committed the crime they are being accused of, they will arrest.
4. **Crown Brief, Synopsis or 'Dope Sheet':** After an alleged offender is arrested, all of the details of the initial call, investigation and evidence collected by the investigating officer is summarized into a synopsis that is then forwarded to the Crown Attorney. This evidence collected by the police is the basis for the Crown's case against the alleged offender. Combined with witness statements, the court will make its ruling on the guilt or innocence of an alleged offender. When the trial is concluded, the Crown Brief is returned to the Clerks office at the Division it was investigated through, and the conviction information is noted in their data bases.
5. **Alleged offender:** if there was no conviction, it is important to refer to the perpetrator as the alleged offender when speaking with police. This person is also known as the 'accused' before the trial.

Court Jargon

1. **Conviction:** an alleged offender is found guilty by the court, they are considered **convicted** and is then known as the offender. Once found guilty, the court prepares a **Pre-Sentencing Brief** and the Sentencing date is set. Since it is very difficult to gain a conviction in cases involving children, the conviction rate for child sexual assault and child assault tends to be quite low.
2. **Indictment:** Following the sentencing of an alleged offender, the record of the offender's guilt is recorded in a form called an indictment. This form contains a list of all charges, the victim's name, and information about all of the hearings involved in the trial. This information is public (except for young offenders), and can be obtained from the courthouse that the trial was held at. The Board considers this document proof of conviction.
3. **Probation order:** If an offender is released early, they may be subject to probation. When an offender is released from prison on probation, an order is created that indicates what the charges were, and the conditions of the probation. The Board accepts this information as proof of conviction.
4. **Sentencing:** when the court has determined the guilt (beyond a shadow of doubt), the offender is sentenced. This is the hearing where the disciplinary action is dispensed to the offender. Sometimes the offender will get jail time, fines, or other orders.
5. **Conditional Discharge:** In particular cases, an alleged offender may receive a sentencing order that allows for a conditional discharge. In other words, a finding of guilt may be averted if the alleged offender completes some task ordered by the judge such as Anger Management courses. If the alleged offender successfully completes the order in a given amount of time, they will receive no criminal record of conviction, but a notation of Conditional Discharge. To the board, that does not prove conclusively the guilt of the alleged offender, but it is a fairly good indication. The Board would probably seek more detailed information on this by requesting either the 'Reasons for Judgement' or Court Transcripts.
6. **Reasons For Judgement:** In cases where there is no conviction from a trial proceeding, ie, the charges were dropped, acquitted, a conditional discharge was granted, or there is a conviction for a lesser charge, the Board may seek more detailed information to determine why. The Reasons for Judgement contain the judge's statement to the court in coming to the ruling they did. The process of the Board in obtaining these court documents is generally extremely slow, sometimes taking up to one year! In the past we've also given them the number of the Crown Attorney who can also share the details of the order.

CAS Project Jargon:

1. **CAS:** Children's Aid
2. **SW, worker:** Social worker
3. **CYW:** child and youth worker
4. **In Care, Care:** a youth who is a client of the CAS
5. **C/S:** children's Service
6. **F/S:** Family Service
7. **Recordings:** These are standard reports made for specific reasons by specific workers. We use recordings of incident, recordings of abuse investigations, recordings of child's progress in our claims. You find recordings in the child's and family's files.
8. **POC:** This term has two meanings. One meaning is Plan of Care- which is a report made by C/S workers for Crown Wards. We do use the Plan of Care in our submissions to the Board because they provide a comprehensive picture of how the child is doing today, but for the project, POC more often stands for **proof of conviction**.
9. **LTC:** Long Term Care
10. **LM:** Left message (refers to voicemail)
11. **w/ :** with, ie, I left the report w/Worker
12. **Referral:** Every child in Care who experienced violence is mandated to obtain victim compensation. We have a referral form that contains all of the required information to complete an intake interview with the Board. This form is located in Microsoft word in the "New Document" templates and can be found in the CAS Svc forms folder. When the project receives a referral, we set up a file, do an intake interview at the Board and place the file in the referral priority list.
13. **Referral priority list:** Because the project has significantly more files than we can process, we work on a backlog. Our backlog is called the referral priority and we process claims for the oldest children first as they are leaving Care the soonest. We also keep a digital copy of the referral priority list which gets updated each time we begin processing a new claim.
14. **Form 14:** This is a report made by the Provincial Ministry of Health and is used primarily for individuals to release confidential documents to another party. Since the Board requires information on the long-term nature of claimant's injuries, we utilize this form to obtain records for the Board by submitting a request for specific information to the practitioner and ask them to release the documents to us for the claim.

Criminal Injuries Compensation Project
What is Victim Compensation

1. Victim Compensation is an initiative of the **provincial government** (Ontario) and is governed by the *Compensation for Victims of Crime Act*. Compensation is available to individuals injured as a result of experiencing violence within this province.
2. The Act is administered by staff at the Board and by Board members who assess and make decisions on claims made to them for experiencing acts of violence as outlined in the *Criminal Code*;
3. In other words, innocent victims of assault, assault with a weapon, criminal negligence, stalking, poisoning, witnessing violence, having a family member murdered, sexual assault, sexual assault with a weapon ect, which occurred in Ontario, are eligible to file a claim to the Board for review.
4. The majority of the process of making a claim is dealt with by the administration of the Criminal Injuries Board. The role of the bureaucrats is to screen, review and compile files to ensure the Board members receive organized, complete claims that are ready to be assessed.
5. Decisions on files are based on convincing the Board members, on a '**balance of probabilities**' that,
 - (a) **An incident of violence occurred, and**
 - (b) **The claimant sustained verifiable injuries as a direct result**
6. The Board's primary interest is in establishing that, on a balance of probabilities the incident occurred. Submission of proof that a Criminal conviction was administered at a criminal court means that the claim is verified and will be awarded; however, files with no conviction and even no police may still be verified using a variety of documents..
7. Once the Board member has established that a crime of violence occurred, they then look for verification that injuries were sustained as a result. Consideration is given to physical injuries, but the majority of the assessment is focused on the long-term effects (physical or psychological) of the incident on the claimant.
8. This manual will guide you through the process of building an effective claim- what documentation you will need, how to get it, how to successfully navigate the Board's administration, and ultimately how to make an excellent presentation to the Board members at the hearing.
9. The Criminal Injuries Board is located at 439 University Avenue, 4th floor, Toronto, Ontario, M5G 1Y8, (416-326-2900 OR 1-800-372-7463)



OFFICE CONSOLIDATION

CODIFICATION ADMINISTRATIVE

**Compensation for
Victims of Crime
Act**

Revised Statutes of Ontario, 1990
Chapter C.24

**Loi sur
l'indemnisation des
victimes d'actes
criminels**

Lois refondues de l'Ontario de 1990
Chapitre C.24

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CHAPTER C.24

Compensation for Victims of Crime
Act

Definitions

1. In this Act,

“Board” means the Criminal Injuries Compensation Board; (“Commission”)

“child” means a child born within or outside marriage, subject to sections 158 and 159 of the *Child and Family Services Act* (which relate to the effect of adoption), and includes a grandchild of the victim and a person whom the victim has demonstrated a settled intention to treat as a child of his or her family, and includes a child of the victim conceived before and born alive after the victim's death, but does not include a child placed in the home of the victim as a foster child for consideration by a person having lawful custody; (“enfant”)

“dependant” means,

- (a) the spouse of the victim,
- (b) a parent of the victim, including a grandparent and a person who has demonstrated a settled intention to treat the victim as a child of his or her family, but does not include a person in whose home the victim was placed as a foster child for consideration by a person having lawful custody,
- (c) a child of the victim,
- (d) a brother or sister of the victim, and
- (e) any other relative of the victim,

who was in whole or in part dependent on the victim for support at the time of his or her death; (“personne à charge”)

“injury” means actual bodily harm and includes pregnancy and mental or nervous shock and “injured” has a corresponding meaning; (“lésion”)

“Minister” means the Attorney General; (“ministre”)

“peace officer” means a peace officer as defined in the *Criminal Code* (Canada); (“agent de la paix”)

“spouse” means,

CHAPITRE C.24

Loi sur l'indemnisation des victimes
d'actes criminels

1 Les définitions qui suivent s'appliquent à la présente loi.

«agent de la paix» Agent de la paix au sens du *Code criminel* (Canada). («peace officer»)

«Commission» La Commission d'indemnisation des victimes d'actes criminels. («Board»)

«conjoint» S'entend des personnes suivantes :

- a) la personne qui, au moment du décès de la victime défunte, était mariée avec elle,
- b) la personne du sexe opposé qui, au moment du décès de la victime défunte, vivait avec cette dernière dans une union conjugale hors du mariage,
- c) la personne dont le mariage avec la victime défunte a été dissous par un jugement irrévocable de divorce ou a été déclaré nul et à qui la victime défunte, au moment de son décès, fournissait des aliments ou avait une obligation légale d'en fournir. («spouse»)

«enfant» Enfant de la victime, y compris l'enfant né hors mariage, sous réserve des articles 158 et 159 de la *Loi sur les services à l'enfance et à la famille* (qui portent sur les conséquences de l'adoption). S'entend en outre d'un petit-fils ou d'une petite-fille de la victime, d'une personne dont la victime a manifesté l'intention bien arrêtée de la traiter comme s'il s'agissait d'un enfant de sa famille, ainsi que de l'enfant conçu du vivant de la victime et né viable après le décès de celle-ci. Est toutefois exclu l'enfant placé, moyennant rétribution, en famille d'accueil chez la victime par la personne qui en a la garde légitime. («child»)

«lésion» Lésion corporelle réelle. S'entend en outre de la grossesse, d'un choc nerveux et de souffrances morales. Le terme «blessé» a un sens correspondant. («injury»)

«ministre» Le procureur général. («Minister»)

- (a) a person who was married to the deceased victim immediately before the deceased victim's death,
- (b) a person of the opposite sex who was living with the deceased victim in a conjugal relationship outside marriage immediately before the death of the deceased victim, or
- (c) a person whose marriage to the deceased victim was terminated by a decree absolute of divorce or was declared a nullity and to whom the deceased victim was providing support or was under a legal obligation to provide support immediately before the death of the deceased person; ("con-joint")

"victim" means a person injured or killed in the circumstances set out in section 5. ("victime") R.S.O. 1980, c. 82, s. 1 (1); 1986, c. 64, s. 5 (1).

Administra-
tion of Act

2. The Minister is responsible for the administration of this Act. R.S.O. 1980, c. 82, s. 2.

Criminal
Injuries
Compensa-
tion Board

3.—(1) The Criminal Injuries Compensation Board is continued and shall be composed of such number of members, not fewer than five, as are appointed by the Lieutenant Governor in Council, and the Lieutenant Governor in Council shall appoint one of such members as chair and one or more of them as vice-chairs.

Board a
corporation

(2) The Board is a corporation to which the *Corporations Act* does not apply.

Duties of
chair

(3) The chair shall have general supervision and direction over the conduct of the affairs of the Board, and shall arrange the sittings of the Board and assign members to conduct hearings as circumstances require.

Substitute
chair

(4) The chair may designate a vice-chair who shall exercise the powers and perform the duties of the chair when the chair is absent or unable to act. R.S.O. 1980, c. 82, s. 3.

Publishing
reports

4. The Board shall prepare and periodically publish a summary of its decisions and the reasons therefor. R.S.O. 1980, c. 82, s. 4.

Injuries
compensable

5. Where any person is injured or killed by any act or omission in Ontario of any other person occurring in or resulting from,

«personne à charge» Personne qui dépendait, en totalité ou en partie, des aliments fournis par la victime au moment de son décès, soit :

- a) le conjoint de la victime,
- b) le père ou la mère de la victime, y compris le grand-père ou la grand-mère, et la personne qui a manifesté l'intention bien arrêtée de traiter la victime comme s'il s'agissait d'un enfant de sa famille, à l'exclusion de la personne qui a accueilli en famille d'accueil, moyennant rétribution, la victime qui y était placée par la personne qui en a la garde légitime,
- c) un enfant de la victime,
- d) un frère ou une soeur de la victime,
- e) un autre parent de la victime. («dependant»)

«victime» Personne blessée ou tuée dans les circonstances visées à l'article 5. («victim») L.R.O. 1980, chap. 82, par. 1 (1); 1986, chap. 64, par. 5 (1).

2 Le ministre est chargé de l'application de la présente loi. L.R.O. 1980, chap. 82, art. 2.

Application
de la loi

3 (1) La Commission d'indemnisation des victimes d'actes criminels continue d'exister et se compose d'au moins cinq membres nommés par le lieutenant-gouverneur en conseil. Ce dernier nomme, parmi ces membres, un président et un ou plusieurs vice-présidents.

Commission
d'indemnisa-
tion des victi-
mes d'actes
criminels

(2) La Commission est une personne morale à laquelle ne s'applique pas la *Loi sur les personnes morales*.

La Commis-
sion est une
personne
morale

(3) Le président a la surveillance générale et la direction des affaires de la Commission. Il veille à l'organisation des séances de la Commission et désigne ceux de ses membres qui président des audiences selon les circonstances.

Fonctions du
président

(4) Le président peut désigner un vice-président pour assumer les fonctions du président en cas d'absence ou d'empêchement de celui-ci. L.R.O. 1980, chap. 82, art. 3.

Président sup-
pléant

4 La Commission prépare et publie périodiquement un résumé de ses décisions accompagné des motifs. L.R.O. 1980, chap. 82, art. 4.

Publication
des rapports

5 Si une personne est blessée ou tuée en Ontario à la suite d'un acte accompli ou d'une omission commise par une autre personne et que l'acte ou l'omission se produit pendant l'accomplissement de l'un des actes suivants ou en résulte :

Lésion
indemnisable

(a) the commission of a crime of violence constituting an offence against the *Criminal Code* (Canada), including poisoning, arson, criminal negligence and an offence under section 86 of that Act but not including an offence involving the use or operation of a motor vehicle other than assault by means of a motor vehicle;

(b) lawfully arresting or attempting to arrest an offender or suspected offender for an offence against a person other than the applicant or his or her dependant or against such person's property, or assisting a peace officer in executing his or her law enforcement duties; or

(c) preventing or attempting to prevent the commission of an offence or suspected offence against a person other than the applicant or his or her dependant or against such person's property,

the Board, on application therefor, may make an order that it, in its discretion exercised in accordance with this Act, considers proper for the payment of compensation to,

(d) the victim;

(e) a person who is responsible for the support of the victim;

(f) where the death of the victim has resulted, the victim's dependants or any of them or the person who was responsible for the support of the victim immediately before his or her death or who has, on behalf of the victim or his or her estate and not being required by law to do so, incurred an expense referred to in clause 7 (1) (a) or (e) arising from the act or omission. R.S.O. 1980, c. 82, s. 5.

Limitation
period for
application

6. An application for compensation shall be made within one year after the date of the injury or death but the Board, before or after the expiry of the one-year period, may extend the time for such further period as it considers warranted. R.S.O. 1980, c. 82, s. 6.

Compensa-
tion

7.—(1) Compensation may be awarded for,

(a) expenses actually and reasonably incurred or to be incurred as a result of the victim's injury or death;

(b) pecuniary loss incurred by the victim as a result of total or partial disability affecting the victim's capacity for work;

a) la perpétration d'un acte de violence criminel à l'encontre du *Code criminel* (Canada), y compris l'empoisonnement, le crime d'incendie, la négligence criminelle et l'infraction prévue à l'article 86 du Code, à l'exclusion d'une infraction impliquant l'utilisation ou la conduite d'un véhicule automobile qui ne constitue pas des voies de fait commises à l'aide de ce véhicule;

b) l'arrestation légitime ou la tentative légitime d'arrestation de l'auteur réel ou soupçonné d'une infraction commise contre une personne autre que le requérant ou la personne à sa charge, ou contre les biens de cette personne, ou l'aide apportée à un agent de la paix dans l'exercice de ses fonctions d'exécution de la loi;

c) la prévention ou la tentative de prévention de la perpétration d'une infraction, réelle ou soupçonnée, contre une personne autre que le requérant ou la personne à sa charge, ou contre les biens de cette personne,

la Commission peut, sur requête et dans l'exercice des pouvoirs discrétionnaires que la présente loi lui reconnaît, rendre l'ordonnance qu'elle estime opportune pour le versement d'une indemnité :

d) à la victime;

e) à la personne tenue de fournir des aliments à la victime;

f) lorsque le décès de la victime résulte de l'acte ou de l'omission, à la personne à sa charge, ou à la personne tenue de fournir des aliments à la victime au moment de son décès, ou à celle qui, pour le compte de la victime ou de sa succession, sans que la loi ne l'y oblige, a engagé les dépenses visées à l'alinéa 7 (1) a) ou e), si ces dépenses résultent de l'acte ou de l'omission. L.R.O. 1980, chap. 82, art. 5.

6 La requête en indemnisation doit être présentée dans l'année qui suit la date de la lésion ou du décès. La Commission peut toutefois, avant ou après l'expiration de cette période d'un an, proroger le délai d'une durée qu'elle juge justifiée. L.R.O. 1980; chap. 82, art. 6.

Délai de
prescription

7 (1) L'indemnité peut être accordée pour l'un des motifs suivants :

Indemnité

a) les dépenses raisonnablement et réellement engagées ou à prévoir du fait de la lésion ou du décès de la victime;

b) la perte pécuniaire subie par la victime du fait d'une invalidité totale ou partielle qui nuit à sa capacité de travail;

- (c) pecuniary loss incurred by dependants as a result of the victim's death;
- (d) pain and suffering;
- (e) support of a child born as a result of rape;
- (f) other pecuniary loss resulting from the victim's injury and any expense that, in the opinion of the Board, it is reasonable to incur.

- c) la perte pécuniaire subie par les personnes à charge de la victime du fait de son décès;
- d) la douleur et les souffrances;
- e) les aliments fournis à un enfant né par suite d'un viol;
- f) une autre perte pécuniaire subie du fait de la lésion de la victime et les dépenses qui, de l'avis de la Commission, peuvent être raisonnablement engagées.

Idem

(2) Where the injury to a person occurred in the circumstances mentioned in clause 5 (b) or (c), the Board may, in addition to the compensation referred to in subsection (1), award compensation to the injured person for any other damage resulting from the injury for which damages may be recovered at common law. R.S.O. 1980, c. 82, s. 7.

(2) Si la personne a été blessée dans les circonstances visées à l'alinéa 5 b) ou c), la Commission peut, outre l'indemnité prévue au paragraphe (1), lui accorder une indemnité pour un autre préjudice résultant d'une lésion pour laquelle des dommages-intérêts peuvent être recouverts en common law. L.R.O. 1980, chap. 82, art. 7.

Idem

Referral for hearing

8. Where an application is made under section 5, the chair of the Board shall refer the application,

8 Si la requête est faite en vertu de l'article 5, le président de la Commission la renvoie, selon le cas :

Renvoi

- (a) to the Board for a hearing conducted by at least two members of the Board; or

- a) à la Commission, dont deux membres, au moins, tiennent une audience;

- (b) to one member of the Board for a hearing,

- b) à un seul membre de la Commission qui tient une audience. L.R.O. 1980, chap. 82, art. 8.

as the chair may direct. R.S.O. 1980, c. 82, s. 8.

Notice of hearing by one member of Board

9.—(1) The Board or member to whom an application is referred under section 8 shall fix a time and place for the hearing of the application and shall at least ten days before the day fixed cause notice thereof to be served upon the applicant, upon the Minister, upon the offender where practicable and upon any other person appearing to the Board or member to have an interest in the application.

9 (1) La Commission ou le membre à qui une requête a été renvoyée en vertu de l'article 8 fixe le lieu et la date de l'audition de la requête. Au moins dix jours avant la date ainsi fixée, la Commission ou le membre fait signifier un avis de l'audience au requérant, au ministre, à l'auteur de l'infraction si cela est possible, ainsi qu'aux autres personnes qui, de l'avis de la Commission ou du membre, peuvent être intéressées.

Avis de convocation à l'audience

Parties

(2) Every person upon whom notice of a hearing is served and any other person added by the Board or member is a party to the proceeding.

(2) Sont parties à l'instance, les personnes à qui est signifié un avis de l'audience et celles que la Commission ou le membre a ajoutées.

Parties à l'instance

Jurisdiction of member

(3) The Board or member shall hold the hearing and make an order under section 5, and, subject to section 10, this Act applies in respect of the hearing and jurisdiction of the member in the same manner as to the Board. R.S.O. 1980, c. 82, s. 9.

(3) La Commission ou le membre tient l'audience et rend une ordonnance en vertu de l'article 5. Sous réserve de l'article 10, la présente loi s'applique à l'égard de l'audience et de la compétence du membre de la même façon qu'à la Commission. L.R.O. 1980, chap. 82, art. 9.

Compétence du membre

Hearing and review by Board

10.—(1) Where an application is heard by a single member of the Board under section 9, the applicant or the Minister may, within fifteen days after service of the decision of the member, require a hearing and review by the Board and the Board shall fix a time and place for the hearing and shall at least ten days before the day fixed cause notice

10 (1) Si, en application de l'article 9, la requête est entendue par un seul membre, le requérant ou le ministre, dans les quinze jours de la signification de la décision du membre, peut demander à la Commission une audience et la révision de la décision. La Commission fixe le lieu et la date de l'audience et en fait signifier un avis aux parties

Audience et révision par la Commission

	thereof to be served upon the parties to the proceeding.	à l'instance au moins dix jours avant la date ainsi fixée.	
Adding parties	(2) The Board may add persons as parties to the proceeding during a review under this section.	(2) La Commission peut ajouter d'autres parties à une instance faisant l'objet d'une révision en vertu du présent article.	Autres parties à l'instance
Quorum	(3) The hearing shall be conducted and the jurisdiction of the Board shall be exercised by at least two members of the Board and the member whose decision is being reviewed shall not sit on the review.	(3) L'audience est tenue et la compétence de la Commission est exercée par au moins deux de ses membres. Le membre dont la décision fait l'objet de la révision ne siège pas.	Quorum
Order of Board	(4) After a hearing and review by the Board under this section, the Board shall make its order in accordance with this Act and its order supersedes the order of a single member made under section 9 that is the subject of the hearing and review. R.S.O. 1980, c. 82, s. 10.	(4) Après que la Commission a tenu l'audience et procédé à la révision en vertu du présent article, elle rend conformément à la présente loi une ordonnance qui remplace celle qu'un membre a rendue en vertu de l'article 9. L.R.O. 1980, chap. 82, art. 10.	Ordonnance de la Commission
Conviction as conclusive evidence	11. If a person is convicted of a criminal offence in respect of an act or omission on which a claim under this Act is based, proof of the conviction shall, after the time for an appeal has expired or, if an appeal was taken, it was dismissed and no further appeal is available, be taken as conclusive evidence that the offence has been committed. R.S.O. 1980, c. 82, s. 11.	11 Si une personne est déclarée coupable d'une infraction criminelle à la suite d'un acte ou d'une omission sur quoi se fonde une demande d'indemnisation en vertu de la présente loi, la preuve de la déclaration de culpabilité est tenue pour preuve concluante que l'infraction a été commise après l'expiration du délai d'appel ou, s'il y a eu un appel, après qu'il a été rejeté et qu'il n'y a plus de recours possible. L.R.O. 1980, chap. 82, art. 11.	Déclaration de culpabilité tenue pour preuve concluante
Hearings to be open to public; exceptions	12. All hearings shall be held in public except where, in the opinion of the Board, it is necessary to hold a hearing that is closed to the public for the reason that a public hearing, <ul style="list-style-type: none"> (a) would be prejudicial to the final disposition of the criminal proceedings against the person whose act or omission caused the injury or death; or (b) would not be in the interests of the victim, or of the dependants of the victim, of an alleged sexual offence or child abuse. R.S.O. 1980, c. 82, s. 12; 1986, c. 37, s. 1. 	12 Les audiences sont publiques, sauf si la Commission estime nécessaire de siéger à huis clos du fait qu'une audience publique : <ul style="list-style-type: none"> a) serait préjudiciable au règlement définitif des poursuites criminelles intentées contre l'auteur de l'acte ou de l'omission qui a entraîné la lésion ou le décès de la victime; b) serait contraire aux intérêts de la victime ou des personnes à sa charge, lorsque l'auteur de l'acte ou de l'omission est accusé d'une infraction d'ordre sexuel ou de mauvais traitements envers un enfant. L.R.O. 1980, chap. 82, art. 12; 1986, chap. 37, art. 1. 	Audiences publiques, exceptions
Publication of evidence	13.—(1) The Board may make an order prohibiting the publication of any report or account of the whole or any part of the evidence at a hearing where the Board considers it necessary but in making an order under this subsection the Board shall have regard to the desirability of permitting the public to be informed of the principles and nature of each case. R.S.O. 1980, c. 82, s. 13 (1).	13 (1) La Commission, si elle l'estime nécessaire, peut rendre une ordonnance interdisant la publication d'un rapport ou d'un exposé de l'ensemble ou d'une partie de la preuve présentée à l'audience. Toutefois, la Commission tient compte de l'opportunité de permettre que le public soit informé des principes et de la nature de chaque cause. L.R.O. 1980, chap. 82, par. 13 (1).	Publication de la preuve
Offence	(2) Any person who publishes a report or account of any evidence at a hearing contrary to an order of the Board under subsection (1) is guilty of an offence and on conviction is liable to a fine of not more than \$5,000 or to imprisonment for a term of not more than	(2) Quiconque publie un rapport ou un exposé de tout ou partie de la preuve présentée à l'audience contrairement à une ordonnance de la Commission rendue en vertu du paragraphe (1), est coupable d'une infraction et passible, sur déclaration de culpabilité,	Infraction

one year, or to both. R.S.O. 1980, c. 82, s. 13 (2); 1989, c. 72, s. 18, *part*.

d'une amende d'au plus 5 000 \$ et d'un emprisonnement d'au plus un an, ou d'une seule de ces peines. L.R.O. 1980, chap. 82, par. 13 (2); 1989, chap. 72, art. 18, *en partie*.

Corporations

(3) Where a corporation is convicted of an offence under subsection (2), the maximum penalty that may be imposed upon the corporation is \$50,000 and not as provided therein. R.S.O. 1980, c. 82, s. 13 (3); 1989, c. 72, s. 18, *part*.

(3) Si une personne morale est déclarée coupable d'une infraction visée au paragraphe (2), elle est passible d'une peine maximale de 50 000 \$ et non de la peine prévue à ce paragraphe. L.R.O. 1980, chap. 82, par. 13 (3); 1989, chap. 72, art. 18, *en partie*. Personne morale

Interim compensation

14. Where,

- (a) the applicant is in actual financial need; and
- (b) it appears to the Board that it will probably award compensation to the applicant,

14 La Commission peut, à sa discrétion, ordonner que soient versés des paiements provisoires au requérant à titre d'aliments, de frais médicaux et de frais funéraires, si : Indemnité provisoire

- a) d'une part, il éprouve de réelles difficultés financières;
- b) d'autre part, la Commission estime qu'elle lui accordera probablement une indemnité.

the Board may, in its discretion, order interim payments to the applicant in respect of support, medical expenses and funeral expenses and, if compensation is not awarded, the amount so paid is not recoverable from the applicant. R.S.O. 1980, c. 82, s. 14; 1986, c. 37, s. 2.

Si l'indemnité n'est pas accordée, les montants versés ne sont pas recouvrables du requérant. L.R.O. 1980, chap. 82, art. 14; 1986, chap. 37, art. 2.

Service

15.—(1) Any notice or document required to be served under this Act or the regulations is sufficiently served if delivered personally or sent by registered mail addressed to the person upon whom service is required to be made at the latest address for service appearing on the records of the Board.

15 (1) L'avis ou le document dont la présente loi ou les règlements exigent la signification est valablement signifié à personne ou envoyé par courrier recommandé au destinataire à son dernier domicile élu mentionné dans les dossiers de la Commission. Signification

Idem

(2) Where any notice or document mentioned in subsection (1) is served by registered mail, the service shall be deemed to be made on the third day after the day of mailing unless the person to be served did not, acting in good faith, through absence, accident, illness or other cause beyond the person's control, receive the notice or document or receive it until a later date.

(2) Si la signification de l'avis ou du document visé au paragraphe (1) est faite par courrier recommandé, elle est réputée faite le troisième jour qui suit la date de la mise à la poste, à moins que le destinataire, agissant de bonne foi, n'ait pas reçu cet avis ou ce document, ou qu'il ne l'ait reçu à une date ultérieure à la suite d'absence, d'accident, de maladie ou d'un autre motif indépendant de sa volonté. Idem

Exception

(3) Despite subsections (1) and (2), the Board may order any other method of service of any notice or document mentioned in subsection (1). R.S.O. 1980, c. 82, s. 15.

(3) Malgré les paragraphes (1) et (2), la Commission peut, par ordonnance, imposer un autre moyen de signification de l'avis ou du document mentionné au paragraphe (1). L.R.O. 1980, chap. 82, art. 15. Exception

Compensation not dependent on a conviction

16.—(1) An order for compensation may be made whether or not any person is prosecuted for or convicted of the offence giving rise to the injury or death but the Board may, on its own initiative or upon the application of the Minister, adjourn its proceedings pending the final determination of a prosecution or intended prosecution.

16 (1) L'ordonnance d'indemnisation peut être rendue qu'une personne soit ou non poursuivie ou déclarée coupable de l'infraction qui a causé la lésion ou le décès. Toutefois, la Commission, de sa propre initiative ou sur la requête du ministre, peut ajourner ses travaux en attendant le résultat définitif d'une poursuite intentée ou prévue. L'indemnité n'est pas liée à la déclaration de culpabilité

Capacity for criminal intent

(2) Even though a person for any reason is legally incapable of forming criminal intent, the person shall, for the purposes of this Act, be deemed to have intended an act

(2) Même si une personne est juridiquement incapable de former une intention criminelle, elle est, pour l'application de la présente loi, réputée avoir eu l'intention de Intention criminelle

or omission that caused injury or death for which compensation is payable under this Act. R.S.O. 1980, c. 82, s. 16.

Considerations of Board

17.—(1) In determining whether to make an order for compensation and the amount thereof, the Board shall have regard to all relevant circumstances, including any behaviour of the victim that may have directly or indirectly contributed to his or her injury or death. R.S.O. 1980, c. 82, s. 17 (1).

Idem

(2) The Board may, in its discretion, refuse to make an order for compensation or order a reduced amount of compensation where it is satisfied that the applicant has refused reasonable co-operation with, or failed to report promptly the offence to, a law enforcement agency. R.S.O. 1980, c. 82, s. 17 (2); 1986, c. 37, s. 3 (1).

Idem

(3) In assessing compensation, the Board shall take into consideration any benefit, compensation or indemnity paid or payable to the applicant from any source other than general welfare assistance or family benefits. 1986, c. 37, s. 3 (2).

Form of compensation

18. The Board may order compensation to be paid in a lump sum or in periodic payments, or both, as the Board thinks fit. R.S.O. 1980, c. 82, s. 18.

Maximum awards

19.—(1) The amount awarded by the Board to be paid in respect of the injury or death of one victim shall not exceed,

- (a) in the case of lump sum payments, \$25,000; and
- (b) in the case of periodic payments, \$1,000 per month,

and where both lump sum and periodic payments are awarded, the lump sum shall not exceed half of the maximum therefor prescribed in clause (a). R.S.O. 1980, c. 82, s. 19 (1); 1986, c. 37, s. 4 (1, 2).

Maximum total of payments for occurrence

(2) The total amount awarded by the Board to be paid to all applicants in respect of any one occurrence shall not exceed,

- (a) in the case of lump sum payments, a total of \$150,000; and
- (b) in the case of periodic payments, a total of \$250,000. R.S.O. 1980, c. 82, s. 19 (2); 1986, c. 37, s. 4 (3, 4).

Proportional distribution

(3) Where the total amount awarded in respect of any one occurrence exceeds the maximum amount prescribed by subsection (2), the amount prescribed shall be distributed in proportion to the amounts of the

commettre l'acte ou l'omission qui a causé la lésion ou le décès donnant lieu à l'indemnisation. L.R.O. 1980, chap. 82, art. 16.

17 (1) Lorsque la Commission étudie l'opportunité de rendre l'ordonnance d'indemnisation et d'en fixer le montant, elle tient compte de toutes les circonstances pertinentes, y compris le comportement de la victime susceptible d'avoir contribué, directement ou indirectement, à la lésion ou au décès. L.R.O. 1980, chap. 82, par. 17 (1).

Considérations de la Commission

Idem

(2) La Commission peut, à sa discrétion, refuser de rendre l'ordonnance d'indemnisation ou ordonner une réduction du montant de l'indemnité si elle est convaincue que le requérant a refusé de coopérer suffisamment avec un organisme chargé de l'exécution de la loi ou ne lui a pas signalé promptement l'infraction. L.R.O. 1980, chap. 82, par. 17 (2); 1986, chap. 37, par. 3 (1).

Idem

(3) La Commission, lorsqu'elle évalue le montant de l'indemnité, tient compte de toute prestation, rétribution ou indemnité versée ou due au requérant par source quelconque autre que l'aide sociale générale ou les prestations familiales. 1986, chap. 37, par. 3 (2).

Modalités de paiement

18 La Commission, selon ce qu'elle estime opportun, peut ordonner le paiement de l'indemnité sous la forme d'un montant forfaitaire ou de versements périodiques, ou des deux. L.R.O. 1980, chap. 82, art. 18.

Maximum de l'indemnité

19 (1) Le montant accordé par la Commission par suite de la lésion ou du décès d'une seule victime ne doit pas dépasser :

- a) 25 000 \$ dans le cas d'un montant forfaitaire;
- b) 1 000 \$ par mois dans le cas de versements périodiques.

Si la Commission accorde à la fois un montant forfaitaire et des versements périodiques, le montant forfaitaire ne doit pas dépasser la moitié du maximum prévu à l'alinéa a). L.R.O. 1980, chap. 82, par. 19 (1); 1986, chap. 37, par. 4 (1) et (2).

(2) Le montant total accordé par la Commission à tous les requérants par suite d'un seul événement ne doit pas dépasser :

- a) 150 000 \$ au total dans le cas des montants forfaitaires;
- b) 250 000 \$ au total dans le cas de versements périodiques. L.R.O. 1980, chap. 82, par. 19 (2); 1986, chap. 37, par. 4 (3) et (4).

Montant total de l'indemnité pour un seul événement

(3) Si le montant total accordé par la Commission par suite d'un seul événement dépasse le maximum prescrit au paragraphe (2), ce maximum est réparti proportionnelle-

Distribution proportionnelle

awards that would otherwise have been made.

Acts deemed
an occur-
rence

(4) For the purposes of this section, the Board may deem more than one act to be one occurrence where the acts have a common relationship in time and place.

Application
of subss. (1)
and (2)

(5) Subsection (1) does not apply to amounts awarded in respect of an injury or death incurred under clause 5 (b) or (c) and such amounts shall not be taken into account for the purposes of subsection (2). R.S.O. 1980, c. 82, s. 19 (3-5).

Award not
subject to
garnishment,
etc.

20. Any money paid or payable by way of compensation under this Act or held by the Public Trustee or other person under an order made by the Board under subsection 21 (3) is not subject to garnishment, attachment, execution, set-off or any other legal process and the right thereto is not assignable. R.S.O. 1980, c. 82, s. 20.

Conditions
of payment

21.—(1) An order for the payment of compensation may be made subject to such terms and conditions as the Board thinks fit,

- (a) with respect to the payment, disposition, allotment or apportionment of the compensation; or
- (b) as to the holding of the compensation or any part thereof in trust for the victim or the dependants, or any of them, whether as a fund for a class or otherwise.

Idem

(2) Any compensation payable for expenses under section 7 may, in the discretion of the Board, be paid directly to the person entitled thereto.

Payments in
case of
minor, etc.

(3) If a person entitled to an award under this Act is under the age of eighteen years or is of unsound mind or in the opinion of the Board is incapable of managing his or her own affairs, any amount payable may be paid on his or her behalf to his or her parent, spouse or committee or to the Public Trustee or may be paid to such other person or applied in such manner as the Board considers in the best interest of such person, and amounts so paid shall be received and administered by the payee for the benefit of the person. R.S.O. 1980, c. 82, s. 21.

Costs

22. Despite section 19, the Board may, with respect to any hearing or other step in a proceeding under this Act, make such order as to costs as it thinks fit. R.S.O. 1980, c. 82, s. 22.

ment aux montants qui auraient été accordés autrement.

(4) Pour l'application du présent article, la Commission peut décider que plusieurs faits ne constituent qu'un seul événement s'il y a entre eux un rapport de temps et de lieu.

Faits consi-
dérés comme
un seul évé-
nement

(5) Le paragraphe (1) ne s'applique pas aux montants accordés à l'égard d'une lésion ou d'un décès survenus dans les circonstances prévues à l'alinéa 5 b) ou c). Il n'est pas tenu compte de ces montants pour l'application du paragraphe (2). L.R.O. 1980, chap. 82, par. 19 (3) à (5).

Champ d'ap-
plication des
par. (1) et
(2)

20 Les sommes d'argent versées ou dues à titre d'indemnité en vertu de la présente loi ou que détient le curateur public ou une autre personne aux termes d'une ordonnance rendue par la Commission en vertu du paragraphe 21 (3) ne peuvent faire l'objet d'une saisie-arrest, saisie-exécution, exécution, compensation ou autre procédure judiciaire. Le droit à ces sommes est incessible. L.R.O. 1980, chap. 82, art. 20.

L'indemnité
ne peut faire
l'objet d'une
saisie-arrest,
d'autres pro-
cédures judi-
ciaires

21 (1) L'ordonnance de versement de l'indemnité peut être assortie des conditions que la Commission estime opportunes et qui concernent :

Conditions de
versement

- a) son paiement, sa disposition, son attribution ou sa répartition;
- b) son dépôt en fiducie, en totalité ou en partie, pour le compte de la victime ou des personnes à sa charge, que ce fonds soit constitué pour un groupe de personnes ou pour un autre usage.

(2) La Commission peut, si elle l'estime opportun, verser directement au bénéficiaire l'indemnité pour dépenses prévue à l'article 7.

Idem

(3) Si le bénéficiaire de l'indemnité est âgé de moins de dix-huit ans, est faible d'esprit ou, que de l'avis de la Commission, il est incapable de gérer ses propres affaires, le versement auquel il a droit peut être fait, en sa faveur, à son père ou sa mère, son conjoint, le curateur à sa personne ou à ses biens ou au curateur public. En outre, le versement peut être fait à une autre personne ou l'indemnité utilisée de la façon que la Commission estime être dans l'intérêt véritable du bénéficiaire. Les montants ainsi versés sont perçus par le preneur, qui les administre au profit du bénéficiaire. L.R.O. 1980, chap. 82, art. 21.

Versements
faits aux
mineurs, aux
incapables

22 Malgré l'article 19, la Commission peut, relativement à une audience ou à une autre mesure prise dans une instance tenue en vertu de la présente loi, rendre l'ordonnance qu'elle estime opportune à l'égard des dépens. L.R.O. 1980, chap. 82, art. 22.

Dépens

Appeal

23. Subject to section 25, a decision of the Board is final except that an appeal lies to the Divisional Court from any decision of the Board on any question of law. R.S.O. 1980, c. 82, s. 23.

23 Sous réserve de l'article 25, la décision de la Commission est définitive. Toutefois, un appel peut être interjeté devant la Cour divisionnaire concernant une question de droit. L.R.O. 1980, chap. 82, art. 23.

Appel

Release of exhibits

24. The Board shall, upon request, release documents and things put in evidence at a hearing to the lawful owner or the person entitled to possession thereof within a reasonable time after the matter in issue has been finally determined. R.S.O. 1980, c. 82, s. 24.

24 Après le règlement définitif du litige, la Commission remet, sur demande et dans un délai raisonnable, au propriétaire légitime ou à la personne qui y a droit, les documents et objets présentés en preuve à l'audience. L.R.O. 1980, chap. 82, art. 24.

Remise des pièces

Variation of award

25.—(1) The Board may at any time on its own initiative or on the application of the victim, any dependant of the victim, the Minister or the offender, vary an order for payment of compensation in such manner as the Board thinks fit, whether as to terms of the order or by increasing or decreasing the amount ordered to be paid, or otherwise.

25 (1) À la requête de la victime, d'une personne à sa charge, du ministre, de l'auteur de l'infraction ou de sa propre initiative, la Commission peut en tout temps modifier une ordonnance de versement d'indemnité de la façon qu'elle estime opportune, qu'il s'agisse des conditions de l'ordonnance, d'une augmentation ou d'une diminution du montant accordé ou d'autre chose.

Modification de l'ordonnance d'indemnisation

Idem

(2) In a proceeding under subsection (1), the Board shall consider,

(2) Lors d'une instance introduite en vertu du paragraphe (1), la Commission tient compte :

Idem

- (a) any new evidence that has become available;
- (b) any change of circumstances that has occurred since the making of the order or any variation thereof, as the case may be, or that is likely to occur; and
- (c) any other matter the Board considers relevant.

- a) d'une nouvelle preuve qui lui est soumise;
- b) d'un changement de circonstances survenu depuis que l'ordonnance a été rendue ou modifiée, selon le cas, ou qui surviendra vraisemblablement;
- c) d'autres questions qu'elle estime pertinentes.

Procedure, etc., on review

(3) This Act, except section 6, applies to a review under subsection (1) in the same manner as to an application for compensation. R.S.O. 1980, c. 82, s. 25.

(3) La présente loi, à l'exception de l'article 6, s'applique à la révision faite en vertu du paragraphe (1) de la même manière qu'à une requête en indemnisation. L.R.O. 1980, chap. 82, art. 25.

Procédure à suivre lors d'une révision

Civil proceedings

26.—(1) Subject to subsections (2), (4) and (5), nothing in this Act affects the right of any person to recover from any other person by civil proceedings damages in respect of the injury or death.

26 (1) Sous réserve des paragraphes (2), (4) et (5), la présente loi n'a pas pour effet de porter atteinte au droit de quiconque de recouvrer de toute autre personne, au moyen d'une instance civile, des dommages-intérêts par suite de la lésion ou du décès.

Instance civile

Subrogation

(2) The Board is subrogated to all the rights of the person to whom payment is made under this Act to recover damages by civil proceedings in respect of the injury or death and may maintain an action in the name of such person against any person against whom such action lies, and any amount recovered by the Board shall be applied,

(2) La Commission est subrogée aux droits du bénéficiaire du paiement fait en vertu de la présente loi, de recouvrer, au moyen d'une instance civile, des dommages-intérêts à l'égard de la lésion ou du décès. La Commission peut ester en justice au nom du bénéficiaire contre n'importe quel défendeur. Les montants recouverts par la Commission servent :

Subrogation

- (a) first, to payment of the costs actually incurred in the action and in levying execution; and
- (b) second, to reimbursement of the Board for the value of the compensation awarded,

- a) d'abord, à payer les frais réellement engagés dans l'action et pour obtenir la saisie-exécution;
- b) ensuite, à rembourser la Commission de l'indemnité accordée.

Le reliquat du montant, le cas échéant, est versé à la personne dont les droits ont été

and the balance, if any, shall be paid to the person whose rights were subrogated. R.S.O. 1980, c. 82, s. 26 (1, 2).

subrogés. L.R.O. 1980, chap. 82, par. 26 (1) et (2).

Idem

(3) The Board may elect to limit the amount for which it is subrogated to the amount of compensation that it has paid in respect of the person whose rights were subrogated by limiting its claim to the amount so paid and, where it so elects, may maintain the action in the name of the Minister. 1986, c. 37, s. 5 (1).

(3) La Commission peut choisir de limiter le montant de la subrogation ainsi que de sa demande à celui de l'indemnisation qu'elle a effectivement versée à la personne dont les droits ont été subrogés. Elle peut, dans ce cas, ester en justice au nom du ministre. 1986, chap. 37, par. 5 (1).

Idem

Settlement

(4) Any settlement or release does not bar the rights of the Board under subsection (2) unless the Board has concurred therein.

(4) Une transaction ou une renonciation ne mettent pas fin aux droits de la Commission prévus par le paragraphe (2), sauf si elle les a approuvés.

Transaction ou renonciation

Civil actions

(5) An applicant for or a person awarded compensation shall forthwith notify the Board of any action brought against the offender who caused the injury or death of the victim. R.S.O. 1980, c. 82, s. 26 (3, 4).

(5) Le requérant ou le bénéficiaire d'une indemnité avise sans délai la Commission de l'action qu'il a intentée contre l'auteur de l'infraction qui a causé la lésion ou le décès de la victime. L.R.O. 1980, chap. 82, par. 26 (3) et (4).

Action civile

Person to assist

(6) A person awarded compensation shall give the Board such information and co-operation as he or she can furnish to assist the Board in maintaining a subrogated action for damages against the offender who caused the injury or death of the victim. 1986, c. 37, s. 5 (2).

(6) Le bénéficiaire d'une indemnité fournit à la Commission les renseignements et la coopération qu'il peut apporter afin d'aider la Commission dans l'exercice d'une action en dommages-intérêts visée au présent article contre l'auteur de l'infraction qui a causé la lésion ou le décès de la victime. 1986, chap. 37, par. 5 (2).

Aide apportée par le bénéficiaire

Payment of compensation

27.—(1) Compensation ordered to be paid shall be paid out of the money appropriated therefor by the Legislature.

27 (1) L'indemnité versée est prélevée sur les sommes affectées à cette fin par la Législature.

Versement de l'indemnité

Disposition of money recovered

(2) Any reimbursement to the Board under section 26 shall be paid into the Consolidated Revenue Fund. R.S.O. 1980, c. 82, s. 27.

(2) Le remboursement fait à la Commission en vertu de l'article 26 est versé au Trésor. L.R.O. 1980, chap. 82, art. 27.

Affectation des fonds recouvrés

Regulations

28. The Lieutenant Governor in Council may make regulations,

28 Le lieutenant-gouverneur en conseil peut, par règlement :

Règlements

- (a) prescribing rules of practice and procedure in respect of applications to the Board and proceedings of the Board;
- (b) requiring the payment of fees in respect of any matter in the jurisdiction of the Board, including witness fees, and prescribing the amounts thereof;
- (c) prescribing forms for the purposes of this Act and providing for their use;
- (d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1980, c. 82, s. 28.

- a) prescrire les règles de pratique et de procédure relatives aux requêtes faites à la Commission et aux instances devant celle-ci;
- b) prescrire les droits à verser relativement à toute question qui relève de la compétence de la Commission, y compris les indemnités des témoins et en exiger le paiement;
- c) prescrire des formules pour l'application de la présente loi et prévoir les modalités de leur emploi;
- d) traiter de toute question utile ou nécessaire pour réaliser efficacement l'objet de la présente loi. L.R.O. 1980, chap. 82, art. 28.

Agreements with Canada

29. The Crown in right of Ontario represented by the Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada respecting the payment by Canada to

29 La Couronne du chef de l'Ontario que représente le ministre peut, avec l'approbation du lieutenant-gouverneur en conseil, conclure des ententes avec la Couronne du chef du Canada concernant le paiement par

Entente avec le gouvernement du Canada

Ontario of such part of the expenditures required for the purposes of this Act as is agreed upon. R.S.O. 1980, c. 82, s. 29.

le Canada à l'Ontario de la partie convenue des dépenses relatives à l'application de la présente loi. L.R.O. 1980, chap. 82, art. 29.

Criminal Injuries Compensation Project

CICB WORKING UNITS AND DESCRIPTION OF PROCESS**1. Client Services Unit, manager, Laurie Snowden 416-326-2920**

- Process intakes
- Answers general calls regarding status of claims
- Data enter files and dispatch to manager of Analyst Unit

2. Claims Support & Analyst Units, Unit manager, Mary Ann Hunwicks, 416-327-2965

- Manager manually assigns files to analyst
- Analyst knows what information the Board member's require to assess a claim
- Their job is to review the file and ensure all information is on file.
- A police Questionnaire is sent out on every file where police were involved.
- A file will not proceed to hearing until all CICB reports are completed
- Alleged offenders are notified if no conviction
- File dispatched to hearings

3. Hearings Unit, Unit Manager, Donna Aceto, 416-326-2890

- Set up hearing dates and locations
- They send us a notice for a hearing no less than ten days before the date of the hearing.
- They process the files that have been heard, then dispatch those files to finance

4. Finance Unit, Unit Manager, Patricia Schwimmer, 416-326-2891

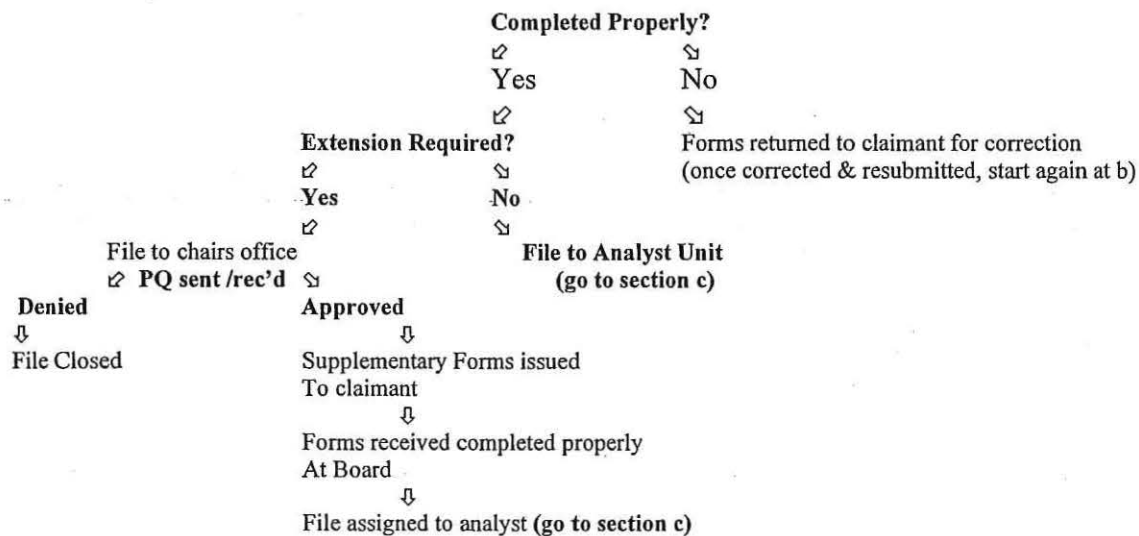
- All files are dispatched to finance whether or not there's a financial award.
- They process the Board Order and send it & cheque out if the file was awarded
- They close the file.

****Process usually takes between 1 & 3 years to complete

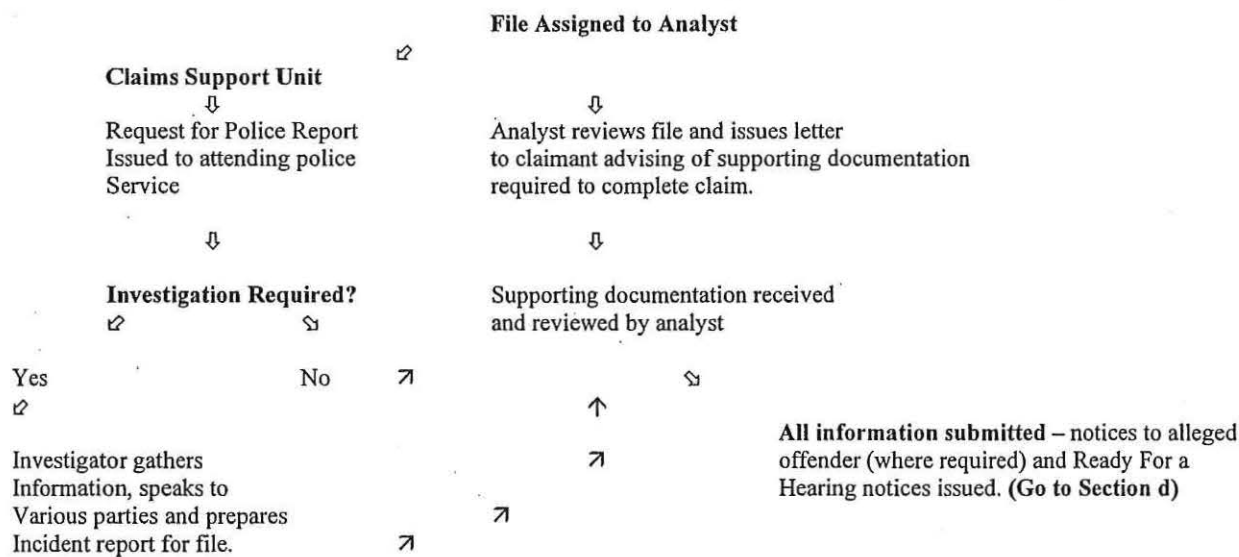
CICB FLOWCHART

Section a) Complete Intake Interview over phone ⇒ Appropriate forms sent to Claimant with a bar coded file #

Section b) Forms Received by Board (Client Services Unit & Chair's Office)



Section c) Analyst and Claims Support



Section d) Hearings Unit

Completed File Dispatched from Analyst Unit to Hearings Unit



File placed on Ready to be Heard List (RTBH) for either a Documentary
Or Oral Hearing



Date becomes available, date, time location established
Board member assigned



Notices issued to hearing participants no less than 10 days
Before the date of the hearing



HEARING DATE



Decision made

Cancelled, Adjourned or
Referred to Oral or two panel



Yes

No



Additional
information



Reserved

File processed
And returned to Board



To Chair for Review and signing



Awarded

Denied

Section e) File Dispatched to Financial Unit

Cheque requisitioned



Completed Board Order &
Financial Award (if applicable)
Issued to claimant.

Criminal Injuries Compensation Project

CANADIAN VICTIM SERVICES AND COMPENSATION BOARDS

ALBERTA: Tel: 780-427-7217 1-800 None/May call collect.
Fax: 780-422-4213

The Crimes Compensation Board
10365 97th Street, 10th Floor
Edmonton, AB T5J 3E7

BRITISH COLUMBIA: Tel: 604-244-6400 1-800-661-2112 (BC Only)
Fax: 604-244-6480

MANITOBA: Tel: 204-945-0899 1-800-262-9344 (MB Only)
Fax: 204-948-3071 May call collect.

Compensation for Victims of Crime
379 Broadway, Room 202
Winnipeg, MB R3C 0T9

NEW BRUNSWICK : Tel: 506-453-2888 1-800 None/No collect calls.
Fax: 506-453-7481

Department of Public Safety, Victim Services
570 Queen Street, 4th Floor
Barker House
Fredericton, NB E3B 6Z6

NEWFOUNDLAND: Tel: 709-729-0900 1-800 None/May call collect.
Fax: 709-729-0053

Newfoundland board does not provide compensation as of 1992 but person may call for information.

NOVA SCOTIA: Tel: 902-424-4651 1-888-470-0773 (NS Only) Fax:
902-424-2056 May call collect.

As of June 20, 2001 no compensation available.

ONTARIO: Tel: 416-326-2900 1-800-372-7463 (ON Only)
Fax: 416-326-2883

Criminal Injuries Compensation Board
439 University Avenue, 4th Floor
Toronto, ON M5G 1Y8

PRINCE EDWARD ISLAND: Tel: 902-368-4582 1-800 None/May call collect.
Fax: 902-368-4514

Victim Services
51 Water Street East, 2nd Floor
Charlottetown, P.E.I. C1A 4A2

Mailing Address Only
P.O. Box 2000
Charlottetown, P.E.I. C1A 7N8

Summerside Office: Tel: 902-888-8218
Fax: 902-888-8410

Victim Services
263 Harbour Drive, 2nd Floor Suite 19
Summerside, P.E.I. C1N 5P1

QUEBEC: Tel: 514-906-3019 1-800-561-4822 (PQ Only)
Fax: 514-906-3029 May call collect.

La commission d'indemnisation des victimes d'actes criminels
1199 rue Bleury, 9^{eme} etage
Montreal, PQ H3C 4E1

SASKATCHEWAN: Tel: 306-787-3500 1-800 (None)
Fax: 306-787-0081 May call collect.

Victim Services
1874 Scarth Street, 6th Floor
Regina, SK S4P 3V7

Revised November 1, 2001

PART 3: COORDINATOR INFORMATION

PART 3: COORDINATOR INFORMATION
JOB & TRAINING

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

Job Description- Project Coordinator

- Weekly maintenance of over 60 case files including follow up, regular updates, correspondence with other treatment agencies, the police, children's service workers, family service workers and other professionals in contact with claimant.
 - follow up and liaison work with Children's Service workers and agency management
 - Keeping detailed records both on the computer and paperwork. Use of word-processing programs, fax, filing cabinet, phones, internet, cd-rom, photocopier and email programs.
 - Researching complete family service files, court files and children's service files for supporting documentation. Analysing materials and case-building for administrative tribunal.
 - Conducting investigations to locate witnesses (previous workers, special friends, staff from other agencies) and police information. Working in conjunction with police services to locate investigation materials.
 - Retrieving documents, obtaining authorizations from both the claimant and the agency that wrote the reports.
 - Drafting a support letter that details the allegations, investigation, short and long term injuries.
 - Tracking the status of each claim in process throughout process at the board.
 - Locating requested materials for the Board
 - Preparing youth and/or children's service worker for hearings
 - Attending hearings with out of care youth.
 - Conducting outreach and consultation to other CAS branches, agencies and PARC.
 - Increasing project profile by submitting articles for CAS publications and attending various team, management and unit meetings.
 - Providing information and training about eligibility, process and claim building.
 - Participating in workflow, resource management and fundraising activities as needed.
 - Planning learning objectives, learning experiences and opportunities for student placements.
 - Supervision and training of students and volunteers.
 - Co-selection of students and volunteers for project
 - Individual and policy advocacy where needed. Claims to Ombudsman, follow up on clarification of particular policies at board in context of the specific experiences around violence against children. Helping recent former wards as needed in terms of support and counselling.
 - Preparing training and administrative manuals, updates and corrections.
 - Project development
-
- Get proof of conviction
 - Get police information
 - Obtain all required file information for volunteers (C/S, F/S, court, Foster files)
 - Obtain abuse investigation materials (Intake, previous workers, witnesses) and get letters of support.
 - Maintain your own caseload of files .
 - Review all volunteer files periodically and before submission
 - Review and edit all Social worker's letters
 - Do all follow up on files in process at CICB
 - Develop volunteer training
 - Attend meetings to inform CAS staff of the project, eligibility and process
 - Write articles for Communicate, and if possible OCASS journal
 - Develop project efficiency, and activities
 - Seek funding sources

CICB-CAS Criminal Injuries Project
Interview Questions for Project Coordinator

1. What project coordinator positions have you held?
2. What is your (a) favourite (b) least favourite aspect of the job?
3. What do you consider to be the most important priorities of a coordinator?
4. Have you participated in evaluating a project? What was your role?
5. Have you managed volunteers?
6. When training/managing volunteers, what worked/didn't?
7. Have you supervised undergraduate and college students on placements?
8. How would you go about maintaining and promoting the profile of the project?
9. What is your vision for a Victim Serving project such as this? What potential do you see?
10. Have you completed a funding proposal before? which fund? Details of your approach?
11. Experienced in managing large quantities of data? How did you establish a system?
12. What experience do you have with project development? Please discuss an example of what and how you developed a project you worked on.
13. Have you worked with victims of violence? In what capacity?
14. Have you worked with any parts of the Justice system (police, courts, probation, the board?) In what capacity?
15. Have you ever built claims for a quasi or judicial tribunal? In what capacity? What did you learn? If not, what do you think the requirements would be?
16. How would you deal with a volunteer who doesn't seem to be 'getting it' or 'fitting in'?
17. What knowledge do you have about CAS, and the CICB Project?

Criminal Injuries Compensation Project

Coordinator Training

Duration: 3 months @ 2 days per week

Supervision: 1 day per week

Day:

1.

A) Formal Introduction to CICB practices, CICB staff, CAS staff (one month)

- Tracy to formally introduce new coordinator to all social workers
- Tracy to formally introduce new coordinator to all CICB staff.
- Coordinator and Tracy attend two hearings and tour of CICB.
- Tracy arranges for a CICB information package

Day:

2.

B) Introduction to Project Administration & Processing of Files in Process

Opening project

- Email: Coordinators personal email account, Lotus notes password, following up on email, emailed referrals and questions.
- Phone- our extension number, voicemail password, follow up on calls,
- CICB digital project- understanding and using the CICB digital project.

Recording systems

- Opening a file,
- referral priority (digital)
- Filing Referral files (file cabinet)
- Compiling files (transferability of files)
- Updated active files (digital)
- File closings (file stripping, record of award, records dept, binder, send copy to worker)
- Awards (how to record awards in digital file)
- Project status, (annual reports to management)
- phone logs: (record of calls resolved- the pile, then the binder)
- Invoices to CICB (process for and recording of)

Follow up

- telephone scripts,
- how to obtain information from other bureaucracies,
- frequency and types of follow up calls,
- dealing with the Board

Preparing files for hearing

- FOI,
- Coordinating social worker, (setting a hearing date, contacting scheduler, arranging a meeting for pre-hearing brief, getting your file back from worker, reminder calls for hearings)
- Hearing summary (how to review and document file docs) -
- Pre-hearing briefing (how to coach) -
- Attending hearings -

2. Practice opening project and doing follow up
3. Practice opening project, doing follow up
4. Practice opening project, do follow up, do one FOI for a file ready to go to hearing
5. Practice opening project, do follow up, do one hearing summary, contact worker for meeting
6. Practice opening project, do follow up, do a all FOI requests, review and do practice pre-hearing meeting with social worker and Tracy.
7. Practice opening project, do follow up, do all hearing summaries, review file, do practice hearing meeting with social worker and Tracy
8. Practice opening project, do follow up, do all hearing summaries, review file, do practice hearing meeting with social worker and Tracy

Day:

C) Profile

9.
 - a) Preparing reports to management
 - b) Preparing for and attending Unit meetings
10.
 - c) Preparing CAS Website info
 - d) Preparing event to celebrate 1 millionth dollar
 - e) Preparing status reports for Social Workers

Day:**D) Building Claims:**

11.

- a) Eligibility
- b) Referrals & Intake Interview
- c) Referral Priority (digital and file cabinet)
- d) Assigning files
- e) Claim Building:

- Obtaining Family Service, Court, and Children Service Files
- Contacting the police and info required
- Contacting the courts and obtaining Indictments
- Types of claims (1. conviction, 2. no conviction with police, 3. no police, no conviction, but CAS investigation, 4. no conviction, no police, no CAS investigations)

12, 13, 14

- **Reading FS, CS and Court files:** What to get copies of from the file, keeping track of what you have, establishing a chronology, identifying gaps in the story, Recording data on research in the computer system

15.

- **Organizing information** (order of documents, file sections, how to use the information you copied, locating missing information, highlighting pertinent data, making notes on the documents, placing dates on documents, and pruning excess)
- **Locating missing information** (recognizing leads in the existing docs, calling social worker, using internet, working with witnesses to recall information, working with witnesses or leads to help you uncover more leads, determining how much of this type of work you need to do)

16, 17

- **Social worker's letter** (purpose, Writing an effective argument)

18.

- **Obtaining Outside Agency Authorization.** (Our form letter, Form 14's – signing policy, contacting service agencies, faxing materials, follow up)
- **Application forms:** (completing application forms, signing policy around age, coordinating signature and application form retrieval)
- **File review and submission**

Day:**D) Volunteers & Students:**

19.

Training Volunteers and Students:

- Interviewing Students and Volunteers
 - Orientation to CICB
 - Orientation to CAS
 - Orientation to Project
 - Attending a hearing
 - **Training Manual**
 1. Types of files and information required
 2. Writing a social workers letter
 3. Getting outside agency authorization
 4. Example File
 - Volunteer mentoring training
 - Reviewing progress
- 20,
- Interview several volunteers
- 21,
- Student placements

Day:**E) Proposal Writing**

22, 23, 24

- locating potential funds/funders
- Writing effective proposals
- Working with the Foundation
- Getting partners and support

PART 2: COORDINATOR INFORMATION
PROJECT ADMINISTRATION

PART 3: COORDINATOR INFORMATION
OPENING THE PROJECT

Criminal Injuries Compensation Project
Opening the Project

1. Computer

Login Name: [REDACTED]

Password: [REDACTED]

Open: Updated Active Files (this file is open all day and you work from it and add to it constantly)

2. Email

Password: [REDACTED]

3. Voicemail

- (a) press the forward key to turn off Call forward
- (b) Pick up the headset and press the key that says 2089
- (c) Then press 'Message'
- (d) When it says please enter your mail box, press #
- (e) When it asks you for your password type 464646

Recording messages:

- (a) Use a new sheet of paper each day
- (b) Note the date at the top
- (c) Write the phone number of the caller, followed by the name, who the message is regarding, the content of the message and the action needed to resolve the message.
- (d) Make sure you summarize the process by which you resolved the inquiry on the Updated Active Files list. Print the Updated Active Files each week.

4. Snail Mail

- (a) Is located on the Second Floor where the Secretaries are
- (b) Find the box with your name on it and retrieve the documents there
- (c) When you return to the office, make a note on the Updated Active files list indicating what information came in and what you did with it.
- (d) Be sure to make copies of all documents you send away from the project.

5. Updated Active Files:

- (a) Be sure to indicate the status of all follow up on each file.
- (b) Indicate what you made copies of and where you sent them, including the phone number of the person you sent them to so you can easily call them back
- (c) Indicate where you placed each document you dealt with, so you can find it when you need it next.
- (d) Go through the list and update it each week.
- (e) Make a note of the action you took, the status of the file and what you need to do next.

PART 3: COORDINATOR INFORMATION
THE FILE CABINET

Criminal Injuries Compensation Project
The file cabinet

Drawer 1, Top Drawer: Project Information

1. **Inactive files:** We keep these in case the Ward or Former ward wishes to complete the process.
2. **Adminlstration:**
 - a. Project status
 - b. Master Documents (all templates printed)
 - c. Emergency Contact Names and Numbers (needs to be updated)
 - d. Meeting agendas
 - e. Meeting minutes
 - f. Seminar Resources
 - g. Eligibility Questions to the Board
 - h. Obtaining an Award Held in Trust
 - i. Information on Making requests Post Hearing (Section 25)
 - j. Police Contact Information
 - k. Volunteer History
 - l. Submissions to Communicate
 - m. Project History
 - n. CICB Info
 - o. CAS
 - p. Victim Witness Info
 - q. CICB Project Training
3. **Files for Social Worker's Updates:** Each time you send out all of the Updates for the Social workers, be sure to print a copy and file it in the appropriate folder.

Drawer 2, Intake, Referral Priority, Claims being built

1. **Intakes Completed:** These are files for which we have completed the Intake Interview with the Board, but have not yet received the applications for. When the applications arrive, change the information on the referral priority list and place the file in the appropriate place in the drawer.
2. **Referral priority Files:** These files are organized in two ways,. The files are grouped as,
 - (a) Files in which the alleged offender **was not convicted**
 - (b) Files in which the offender **was convicted**

Both have the oldest children at the front of the drawer- They are organized like this so that the coordinator may ensure that all conviction files have Proof of conviction on them. It is important to go over the conviction files to check to see if we have a copy of the Indictment. If not, re-send the request to the appropriate court house.

Assigning files from the twin sets of files: Be sure when you are assigning files to use the digital referral priority list to identify the oldest youth on the list. However, if the person who is doing the file needs more practice or is a brand new volunteer, then give them a file with a conviction, as they are much easier to complete.

3. **Claims Being Built:** Each staff member, student and volunteer has their own hanging file folder space so that they may work on a particular file. Each person is responsible for completing the necessary tasks on each file. When they are finished their work, they bring it to the coordinator for review.

Drawer 3 & 4, Files Submitted to the Board

- These are the files in process
- They are listed in alphabetical order

PART 3: COORDINATOR INFORMATION
ONGOING RECORDING

Criminal Injuries Compensation Project
ONGOING RECORDING

1. The project has 3 main systems for recording our status due to the differences in data, and volume of information. These 3 lists are,
 - a) Referral Priority List
 - b) Updated Active Files List
 - c) List of Awards
2. It is important to keep these lists updated. Each action taken on a particular claim or referral must be noted as per the format on the page.
3. For Updated Active File recordings- be sure to include the following information with each recording,
 - a) Who initiated the action
 - b) Related phone number
 - c) Situation
 - d) What you did
 - e) What you need to do next.
 - f) If the issue is resolved, indicate this.
4. The digital copies of the lists can be found,

Data
MSWdata
Criminal Injuries Project
Project Status
Weekly Lists
5. Be sure to print the lists each time you update them (updated active files only 1 time per week) and
6. Be sure to back the files up on disk or on the server once per week.

Criminal Injuries Compensation Project

REFERRAL PRIORITY LIST

UPDATED July 25, 2003

(81 Referrals)

Worker	Conviction/POC?	Youth/ Age	Intake	Received	F/S?
[REDACTED]	pending (Intake file placed with files in process)	[REDACTED]	May 26, 2003	June 13/03	NA
1984					
[REDACTED]	N/NA	[REDACTED]	June 6/03	June 20/03	Rjn13
[REDACTED]	or UK	[REDACTED]	June 03	June 20/03	RJn2
[REDACTED]	N/NA	[REDACTED]	May 7/02	May 24/02	Rec'd*
1985					
[REDACTED]	Y/Y	[REDACTED]	May 16/03	May 26/03	Rec'd
[REDACTED]	yes/no	[REDACTED]	May 9/03	No	Y/In File
[REDACTED]	yes/no	[REDACTED]	Feb/02	May/03	Y/In file
[REDACTED]	No, NA	[REDACTED]	Sept4/02	Oct. 1, 02	Rec'd*
[REDACTED]	N/NA	[REDACTED]	Feb. 18/02	Feb 28/02	Rec'd*
[REDACTED]	uk read, no FS file on disk. Need to find it.	[REDACTED]	June 27, 2003	July 18, 2003	Crt file
[REDACTED]	No/NA	[REDACTED]	July 4, 2002	July 23, 2002	Rec'd*
[REDACTED]	No/NA	[REDACTED]	Aug. 7, 02	Aug. 20, 02	done
[REDACTED]		[REDACTED]	Nov. 13, 02	Dec. 3, 02	Rec'd
1986					
[REDACTED]	No/NA	[REDACTED]	March 24/03	No	done
[REDACTED]	Yes/No	[REDACTED]	July 30/02	Oct. 11/02	Rec'd*
[REDACTED]	Yes/No	[REDACTED]	June 19/02	July 9/02	Rec'd
[REDACTED]	No/NA	[REDACTED]	Feb. 5, 02	Feb. 18, 02	Rec'd
[REDACTED]	No/NA	[REDACTED]	July 4/02	July 23/02	Rec'd*
[REDACTED]	No/NA	[REDACTED]	July 4/02	July 23/02	Rec'd*
[REDACTED]	N/sexual	[REDACTED]	May 16/03	May 26/03	June 13
[REDACTED]	N/Physical	[REDACTED]	May 16/03	May 26/03	June 13

Criminal Injuries Compensation Project

RECORD OF FOLLOW UP FOR FILES IN PROCESS

Updated July 25, 2003

* Foi for S [REDACTED], 0009-22329 to brief [REDACTED] for Sept. 11/03 hearing

<u>Name</u>	<u>File number(s)</u>	<u>Status:</u>
[REDACTED] x2130 2870	0010-22594	<p>INITIAL LETTER REC'D MARCH 10/03 NO CONVICTIONS, DOB Dec24/79</p> <p>March 28, 2003: Only info O/S= Reasons for Judgement for [REDACTED] Need to make FOI for ROH. Also need a auth letter from [REDACTED]</p> <p>May 1, 2003: re status of reasons for judgement for [REDACTED] indicates she sent a second request for the info to claims support on April 23rd and to leave it for another week before inquiring or offering to help find the info.</p> <p>June 9, 2003: [REDACTED] indicates no Reasons for judgement yet and that she sent another request to claims support.</p> <p>July 11/03: LM re reasons for judgement.</p> <p>July 11, 2003: [REDACTED] file is ready to go ahead. G will try to get a waiver re notification- G clarifies that claim is only for [REDACTED] but we haven't provided much info on that file. They will not be considering fathers info- callher to confirm. DOHEARING SUMMARY. G indicates they will be considering father's info, and to disregard least msg. She indicates there is still almost 0 info on [REDACTED]. Weak claim, no further docs to submit.</p> <p>July 21, 2003: FOI sent to CICB along with Auth from [REDACTED].</p>
[REDACTED] X2110		<p>FILE ASSIGNED TO DEE Jan. 31, 03</p> <p>Jan. 31, 03: No need for F/S file as child was adopted at 2 months old. Incident occurred at adoptive family's home. LM with [REDACTED] to pick up file. Advised [REDACTED] to talk to [REDACTED] re adoption file info and where to find info re abuse investigation.</p>
[REDACTED] x 2096 -2859	0201-31563 & 62	<p>ORAL HEARING AUG 19/03 945-1145</p> <p>PQ indicates conviction.</p> <p>Feb. 14/03: [REDACTED] Mgr Jarvis ct</p> <p>June 6, 2003: FOI DONE. LM for [REDACTED] and passed info on to [REDACTED]</p> <p>June 27, 2003 : Rec'd notice of oral hearing. Placed in file.</p> <p>July 11, 2003: Rec;d foi. NEED TO DO HEARING SUMMARY AND SET MEETING TO BRIEF [REDACTED] ONE WEEK BEFORE HEARING.</p> <p>July 14, 2003: Hearing summaries complete</p>

Criminal Injuries Compensation Project

Awards

*Updated July 21, 2003

* The day we broke 1 million in awards for pain & suffering ([REDACTED])

Award total to date: \$1,00 2535

<u>CLIENT</u>	<u>FILE #</u>	<u>DATE</u>	<u>AWARD</u>
[REDACTED]	922-035561	March 08 1996	\$12,000
[REDACTED]	9710-07510	July 10, 2000	\$8,000
[REDACTED]	0007-21423	September 16, 2001	\$20000
[REDACTED]	9712-08241		\$9175
[REDACTED]	922-046617	April 10, 2000	\$5,000
[REDACTED]	9609-01467	Nov. 1999	\$2,000
[REDACTED]			\$4,000
[REDACTED]	0010-22593	January 31, 2003	\$18, 000
[REDACTED]	9805-10080	June 27, 2001	\$1000
[REDACTED]	9805-10081	July 16, 2001	\$8000
[REDACTED]	9805-10084	September/00	\$6, 000
[REDACTED]	922-040526		\$10000
[REDACTED]	920-040526	April 28 1998	\$12,500
[REDACTED]	922-046571		Denied
[REDACTED]	9903-13645	November 13, 2001	\$5, 000
[REDACTED]	Old app.		\$5,000
[REDACTED]	9701-03771	May 2000-10-06	\$14000
[REDACTED]	922-045565	1999	\$9,000
[REDACTED]	922-045570	1999	\$9,000
[REDACTED]	0002-18903	May 1, 2003	\$7,000
[REDACTED]	0002-18902	May 16, 2003	\$15, 000
[REDACTED]	9710-07614	Sept. 26/01	\$13, 000
[REDACTED]	922-046811	Dec. 04 1996	Denied
[REDACTED]	9607-00211	Nov. 03 1998	\$11,000
[REDACTED]	922-018828	January 04 1996	\$5,000
[REDACTED]		October 2000	\$10000
[REDACTED]	9705-05643&4	August 2, 2001	\$7000
[REDACTED]	9912-17722	November 26, 2002	\$12, 000
[REDACTED]	9611-02455	March 6, 2001	\$25, 0000

PART 3: COORDINATOR INFORMATION
REPORTING

Criminal Injuries Compensation Project
REPORTS TO AGENCY MANAGEMENT

1. In April of each year, the coordinator arranges, with the supervisor, a meeting with the Manager of Long Term Care.
2. Using the Template for Reports to Agency Management, determine the status of the project.
3. Template can be found:

Data
MSWdata
Criminal Injuries Project
Project Templates
Report to Agency Management Template

Criminal Injuries Compensation Project
ANNUAL UPDATE INFORMATION FOR MANAGEMENT
April 2002

Files in process Information

Files in Process **April 2001:** 48

Files in process **April 2002:** 50

Files Ready for a hearing or awaiting Orders: 12

Files pre-submission and pre-hearing: 38

In the past year (April 2001-April 2002) we submitted 30 claims

Referral List

Referrals on List **April 2001:** 27

Referrals on List **April 2002:** 41

Workload Status

We have one volunteer who will be coming in regularly starting in May 2002. She is currently working on 3 files. I completed 30 files, 10 of which had the C/S file research completed by volunteers. Right now I'm working on 7 new claims.

Possible Funding source

For each file an updated therapy report is necessary- CICB Policy indicates payment for completion of therapy report of \$100/report. Our social workers complete these on behalf of youth. The payment for completing these records could be used to compensate the agency for completing the reports, then fed back into the project to help alleviate the backlog.

We would be looking at an income of roughly \$3000/year which could be used to off-set approximately half of the cost of an extra day for the project/year.

Criminal Injuries Compensation Project

GIVING STATUS REPORTS TO WORKERS

1. In late November and July of each year, you need to send a status report to each worker on the status of each of their referrals and claims in process.
2. Follow ups folder can be found:
 - Data
 - MSWdata
 - Criminal Injuries Project
 - Weekly Status
 - LTC Status
 - Status Notes for Caseworkers
3. There is a template in that folder that you can follow. This is a gruelling job that will take the better part of 2-3 days to complete. However, workers **require this status update for Crown Ward Reviews.**

CRIMINAL INJURIES PROJECT

CROWN WARD STATUS- CICB PROJECT

NOVEMBER 22, 2002

Children's Service Worker: W [REDACTED]

Referrals

[REDACTED] [REDACTED] Sept 7/87 forms received Oct 2000

Files in Process & Status

[REDACTED] ell x2130 Extension Approved	0010-22594	Jan. 15, 02: EXTENSION APPROVED Oct. 22: [REDACTED] indicates [REDACTED] life has been up in the air all year and will be looking into getting the forms signed shortly.
[REDACTED] x2130 6-2909	0010-22558	Oct. 9, 02: FILE IS COMPLETE, WAIT: PQ Oct. 9, 02: CICB has HSC info. PQ sent in Sept. regarding status of bench warrant. File is complete other than that.
[REDACTED] x2130 6-2909	0010-22556	Oct. 9, 02: FILE COMPELTE, WAIT: PQ
[REDACTED] 30 6-2892	0010-22595 (file # ok)	Initial Letter rec'd by [REDACTED] July 30, 2001 June 18, 2002: All therapy rpts done for [REDACTED] [REDACTED] File should be complete.
[REDACTED] x2130 2892	0011-23285	Initial letter rec'd by [REDACTED] July 30, 2001. [REDACTED] 64-3064). His submission is should be at the Board. June 18, 2002: All therapy rpts done for [REDACTED] File should be complete.
[REDACTED] x2130 6-2892	0106-27348	JAN. 28/2 REC'D INITIAL LETTER March 4, 2002: CYW: *** [REDACTED] x 3519) Aug. 20, 02: Requested status of all three files. They appear to be complete except for PQ info.

Please contact me with any new referrals at extension 2089.

*Please note that I will be working on Monday and Wednesday each week starting January 2, 2003. Happy Holidays

PART 3: COORDINATOR INFORMATION
VOLUNTEERS & STUDENTS

Criminal Injuries Compensation Project
Volunteers and Students

1. Volunteers:

- The volunteer coordinator for CAS is Kim Miller (x 2129)
- If you wish to obtain new volunteers, contact Kim *Nancy McAlpine*
- **Be sure to only take one new volunteer at a time** (give yourself a few months between)
- It is best to stagger your starting of each new volunteer so that you can get volunteers to mentor new volunteers

2. Students

- If you wish to recruit students for the project, contact the department of social work or law of Ryerson, York or University of Toronto. We have also recruited students from the Human Services Counsellor program at George Brown. You may also consider recruiting students from the Community worker program at George Brown.

3. Interviewing:

- Each student and volunteer must be **accepted by you and Mary Allan**
- Bring Mary Allan to the interview as she is very good at determining who will be a good candidate for the project
- It is critically important that any student or volunteer have an understanding of the power dynamics and techniques used to hide domestic violence in a family. (ie, victim blaming is extremely common)

4. Orientation:

- Show the new staff the project, send an email around to all staff in Long term care and Adoption Disclosure introducing the new volunteer, take them around to all the staff in the building and introduce them.
- Have them read the administrative manual.
- Bring them to the Board for a hearing and tour.

5. Setting Objectives and Supervision:

- After orientation, sit down with the new staff and come up with several learning objectives
- This is actually mandatory for students
- Each student should bring you a field guide set of requirements, evaluation forms and schedules
- Arrange monthly volunteer meetings and supervision time for each volunteer

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

Job Description- Volunteer

ASSIGNMENT DESCRIPTION:

- Research files of identified abuse victims
- Compile necessary documentation for criminal injuries claims on behalf of abuse victims
- Write letters and make phone calls to obtain documentation
- Prepare written summaries of documentation

SKILLS AND QUALIFICATIONS:

- Research and writing skills
- Ability to write or print legibly
- Comfort with reading many microfiche files
- Accuracy in completing documents
- Some familiarity with medical, legal, and social work terms
- Ability to organize tasks and to work with detailed information to completion of task
- Ability to maintain an extremely high level of confidentiality
- Commitment to gaining criminal injuries compensation for victims of abuse
- Ability to deal with emotionally distressing written material
- Ability to cooperate as part of a volunteer team and to take direction
- Ability to participate in the development of a new program
- Resourcefulness, adaptability, maturity
- Willingness to participate in training

ASSETS:

- Wordperfect or typing skills
- Office experience

TIME REQUIREMENTS:

- Between 9:00 a.m. and 5:00 p.m. weekdays, one day a week, four to six hours
- One-year commitment,

ASSIGNMENT LOCATION:

- Yonge & Bloor area
- three blocks from subway

APPLY TO:

Brenda Roman
Long-Term Care Department
Children's Aid Society of Metropolitan Toronto
33 Charles Street, East
Toronto, Ontario M4Y 1R9
#(416) 324-2316 or 924-4646 Ext. 2129
Reference: CRIMINAL INJURIES

Interview Questions for Volunteers**Skills:**

- Excellent research, writing and analysis skills
- Excellent interpersonal and problem solving skills
- Excellent organizational, investigative and follow up skills
- Resilience in dealing with challenging materials
- Knowledgeable of bureaucratic language, organization and procedure
- Ability to identify and discuss/process challenging issues with self and others
- Knowledge of legal processes, language and case building
- Utilizes feminist analysis and understanding of victim issues/family dynamics & violence
- Well developed skills in investigation, communication, issue clarification and obtaining information/details

Interview Questions:

1. What experience do you have in social services? What did you like most/least about it?
2. Have you dealt with violence in families especially against children? In what capacity? How do you deal with challenging information on a personal level?
3. What do you think most CAS claims are for? (Child physical and sexual assault, witness violence)
4. What is your understanding of how family dynamics might work if a child makes a disclosure? How do you think the players involved might tend to react? Who are the key players that might be involved?
5. Do you think that children make disclosures for attention or to manipulate adults?
6. In what ways are you familiar with CICB?
7. Have you done any (legal) research before? What did you like the most/least about research?
8. What kind of information do you think we use to prove/support our claims?
9. Have you ever 'built' an argument or claim before? In what capacity? How did you organize your work?
10. Are you familiar with CAS reports, and have you ever had to distil large amounts of information into a particular context?
11. What is your writing experience like? What types of writing have you done?
12. If you are reading a file where a child makes a disclosure against one of the caregivers, and the entire family **absolutely denies the incident** and provide corroborated statements indicating the child is lying, how would you approach this in developing your claim?
13. Have you dealt with bureaucracies before? In what context? What were your impressions?
14. You've completed your research of a file where there is no conviction and realize that the details of the CAS abuse investigation are not on file. What do you do?
15. Have you ever gotten the run around or treated rudely when trying to get information? How did you deal?

Criminal Injuries Compensation Project

Scheduling Volunteer Meetings

- If you have several volunteers working in a particular period, it is good to check in with them once every 2-3 months by having a meeting. These meetings are a chance for volunteers to socialize and get to know each other. Be sure to have refreshments of some kind, draft an agenda (get volunteers to submit items), and find out how things are going.

Criminal Injuries Compensation Project
FREQUENTLY CALLED NUMBERS

CAS

Mary Allan	x2060
Records	x2015
CAS medical	x2047
Dan F	x2044
Peter Moustakas (Property)	x 2006
Maria Boholy (IS)	x 2075
CAS Benefits	x2034
PARC	416-462-1010

Volunteers

Pauline (former vol- good)

Tracy

Dee

Ruth

Aida

Suzanna

PART 3: COORDINATOR INFORMATION
FIELD TRIPS FOR STUDENTS

Criminal Injuries Compensation Project
EXPERIENTIAL LEARNING ABOUT VICTIM SERVICES FOR STUDENTS

Government

1. **Criminal Injuries Compensation Board 416-327-6333**
Completed
2. **V/WAP: College Park: 416-325-6117**
Message with Tracy Clarke March 16, 2001.
 - get info re:
 - services
 - skills required
 - services offered
 - the courts and what a worker needs to know about the courts to work at V/WAP
 - Copies of the relevant legislation
 - Info package?
 - can we go to a criminal court & Domestic Courts
3. **Tour of the Office for Victims of Crime 416-326-1682 John Muise**
Tour Completed.
4. **Police services tour of Victim services**
Tour completed. Terry Spencer indicates that day of the tour to attend 40 College st and ask for her. She will come down and meet us. Tour will take about 1 hour.

Children's Aid

1. **Team meetings – completed**
2. **Unit meetings- June**
3. **Plan of Care – completed**
4. **Case Conference: completed**
5. **Staff orientation trg – completed**
6. **Contact with PARC – completed Jason**
7. **Interviewing – completed**
8. **Proposal work – completed**

Information Students Can learn about CAS

- Organizational flow chart
- Different kinds of wards
- Relevant legislation
- Risk assessment model

Community

1. **Toronto Rape Crisis Centre 416-597-8808, 597-1214 call back on Friday at 9am.**
2. **Assaulted women's help line 416-863-0511**
3. **Barbra Shcliefer clinic 416-323-9149**
4. **Amnesty International**
5. **Therapist who works with victims of violence**
 - **assessment : Dan Fitzgerald**
 - **Crisis: toronto rape crisis centre**
 - **long term techniques and interventions: womwn's counselling & referral 534-7501**
6. **Rittenhouse**
7. **The Speer Society, CAVEAT**

PART 3: COORDINATOR INFORMATION
PROJECT FUNDING & PROFILE

Criminal Injuries Compensation Project

Profile

Building profile of the project can be done in a variety of ways, here are some suggested avenues,

- 1) Be knowledgeable, organized and reliable for the social workers
- 2) Bi-Annual Reports to Social Workers
- 3) Annual Reports to Supervisor and Manager
- 4) Write articles for Communicate
- 5) Present seminars and Information sessions to team, branch, unit and management meetings
- 6) **Arrange a presentation for the CAS board of Directors (hasn't been done yet)**
- 7) **Arrange to get the project on the CAS website (hasn't been done yet)**
- 8) **Arrange a high profile media event where funders are present for our 1 millionth dollar brought in (plan for either Sept/Oct 2003 or April – May 2004)**
- 9) **Arrange funding to get the project evaluated- publish findings in OCAS journal, or Journal of community development, or in the social work review, or in the Journal of Evaluation**

Criminal Injuries Compensation Project

Funding**Locating funding:**

- 1) Contact Kimberly Garrett at the Foundation, 416-923-0924 she is extremely knowledgeable
- 2) Begin doing research on local funders and their objectives
- 3) Build partnerships in the community; ie, set up meetings with youth bureau police, sit on some of their community liaison committees, get to work with TPS victim services, begin working with other agencies serving youth and agencies serving victims of violence.

PART 2: COORDINATOR INFORMATION
FILE ADMINISTRATION

PART 3: COORDINATOR INFORMATION
ELIGIBILITY

CRIMINAL INJURIES COMPENSATION BOARD

Who can apply for help?

- an innocent victim of a crime of violence
- someone, such as a parent, looking after a victim
- a dependant, spouse or relative if a victim dies
- in certain situations, someone who pays the expenses on behalf of a victim.

What may be compensated?

- an injury or death caused by a crime of violence such as assault, wounding, murder, sexual assault, and child abuse
- an injury or death while trying to stop or legally arrest someone who was committing or about to commit a crime against another person or their property

How do you apply?

- write or telephone:

Criminal Injuries Compensation Board
439 University Avenue, 4th Floor
Toronto, ON M5G 1Y8

Telephone: (416) 326-2900
Toll Free: 1-800-372-7463
Fax: (416) 326-2883

- ask for an application form

How does the Board decide on your Claim?

The Board decides whether you are entitled to compensation in one of two ways:

- a) documentary hearing
- b) oral hearing

Documentary - applications which are simple and straight forward may be decided with your permission on documentary evidence alone. This reduces travel time, expenses, and the need to take time away from work.

Oral hearing - in a relaxed setting, you can present information explaining your claim to two members of the Board.

Oral hearings are often held in public but cases arising from domestic assault, child abuse and sexual assault are held in private. It may be necessary to travel to one of the places where the hearings are held - Thunder Bay, Sudbury, Sault Ste. Marie, St Catharines, Windsor, London, Ottawa, North Bay, Niagara Falls and Toronto. You are given 4 to 6 weeks notice of a hearing date.

Electronic Hearing - An electronic hearing is one where the applicant attends at the location where the Board is sitting and the Offender/Alleged Offender, along with their witnesses attend at another location. The Offender/Alleged Offender participates in the Hearing by means of a conference telephone call.

The Board usually orders an Electronic Hearing in cases arising from sexual offenses, domestic abuse, child abuse or where the applicant has a reasonable belief to fear the Offender/Alleged Offender. When the Board decides on your claim, it considers how you co-operated with the

When must you apply?

- as soon as possible

Applications must be received by the Board within one year of the crime. Extensions of this time limit may be granted.

Compensation may be awarded even though charges are not laid or no one is found guilty.

Awards are based on a "balance of probabilities".

For example, if a person claimed compensation for a broken arm, he/she would have to show that the injury happened as a result of a crime of violence.

What papers or documents must you provide?

- medical reports describing your injuries or treatment
- bills and receipts showing your expenses, wages and benefits
- employer's statement showing your wages and benefits

What happens after you apply?

- your application is checked
- your papers or documents are checked
- an investigation of your claim may be made
- your claim is heard by the Board and a decision is made.

If the claim has qualified for compensation, payment of an award takes from 12 to 16 weeks after a hearing. The whole process takes on average from a year to a year and a half.

PART 3: COORDINATOR INFORMATION
REFERRAL PROCESS

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

CICB PROJECT REFERRAL FORM

Criminal Injuries Compensation Project Referral Form

Updated February 5, 2002

1923

Worker:

Child's Name:

Ext. Number:

Sex:

Referral Date:

Child's DOB (d/m/y):

CAS File No.:

Mother's Name:

Date Intake Completed with Board:

Information about the Incident:

Please provide a description of the incident(s), which the child was injured.

1. City of Occurrence (Provide address if you have it):

2. Date of Disclosure/last Incident:

3. Type of Incident:

☐ Assault

☐ Sexual Assault

☐ Death

☐ Witnessing violence

4. Was the victim employed at the time of the injury?

☐ Yes

☐ No

5. Did the victim receive attention from:

☐ Medical doctor/hospital

☐ Psychiatrist/therapist/social worker/psychologist

Legal Information:

6. Police Service Involved?

☐ Yes

☐ No

Name of Service/Division:

Name of Officer(s):

Occurrence Number:

7. Convicted?

☐ Yes

☐ No

Name of Alleged offender:

Date of Birth of Alleged offender:

Relationship to victim:

Criminal Injuries Compensation Project

Making a File Folder

1. Use legal sized files.
2. The extra files are in **drawer 1, in the extra hanging folders**
3. Place a yellow sticker in the space where the name goes (yellow stickers in drawers under table)
4. Put name of victim, indicate conviction status, date of birth, CAS file No
5. Place Referral form in folder and when done intake interview place folder in Intakes completed pending receipt of the application forms

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

CICB PROJECT REFERRAL PROCESS

- 1) The Social Worker is responsible for completing a referral form.
- 2) The Criminal Injuries Referral form is located in the 'New Document' templates in Microsoft Word. All social workers have access to it and it is located in the 'CAS Svc' Forms section.
- 3) The social worker can either send you the referral by email (be sure to save it on the hard drive) or internal mail it to you.
- 4) All referrals should be processed with the Board the day you receive the completed referral.
- 5) CICB must know the following info to create you an application:
 - Worker's name
 - Child's name, sex, DOB
 - Where the incident occurred
 - The Date of the last incident (year, month)
 - Type of incident
 - Did they receive medical (yes is the answer to this one in all cases)

You may not have answers to questions like:

- Name of police service,
- Name of alleged offender,
- Relationship of alleged offender to victim,
- Was there a conviction?

To these questions, you can tell them you will provide the information in the actual application. However, if you have the info, do provide it.

Criminal Injuries Compensation Project
SAVING DIGITAL REFERRALS

1. Print the referral and do intake interview
2. Save the referral:

Data
MSWdata
Criminal Injuries Project
Weekly Status
E-Referrals

3. Each digital referral file should contain the full name of the child as well as the incident and the date you saved/received it.

le, tracy ford physical july 25 2003

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

INTAKE INTERVIEW (CICB)

- 1) All referrals should be processed with the Board the day you receive the completed referral.
- 2) To complete the intake interview, call the Client Services Unit at 416-326-2900.
- 3) Indicate your name and that you are calling to do an intake.
- 4) They will ask you the following questions,

Required information:

- Worker's name (known at Board as 'Applicant')
- Worker's address (looks like this)

David Routledge (insert social worker's name here)
CAS, c/o Tracy Ford (or project coordinator's name)
Criminal Injuries Project,
33 Charles street East, Toronto,
M4Y 1R9
- Child's name, sex, DOB
- Where the incident occurred
- The Date of the last incident (year, month)
- Type of incident
- Did they receive medical (yes is the answer to this one in all cases)

Optional info:

- Name of police service,
- Name of alleged offender,
- Relationship of alleged offender to victim,
- Was there a conviction?

To these questions, you can tell them you will provide the information in the actual application.
However, if you have the info, do provide it.

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

COMPLETING THE REFERRAL PROCESS

- a) to be done on the same day as Intake interview:
 - 1) Obtain police info
 - 2) Obtain Proof of conviction
 - 3) Obtain all CAS recordings from Records
- b) Make a Claims file using a legal sized folder. Indicate the child's name, CAS file number, type of offence, and whether or not there is a conviction in the space provided on the ear of the docket.
- c) All calls made, information obtained, records of messages left, and faxes sent need to be placed on the file and followed up on weekly until information is obtained.

PART 3: COORDINATOR INFORMATION
POST-REFERRAL PROCESS

Criminal Injuries Compensation Project
TORONTO POLICE- OBTAINING INFORMATION

a) Locating an investigating officer:

- **Always** place the current place of employment of the investigating officer on the CICB application forms.
- If you need any information about a police officer's current whereabouts, call 416-808-2222
- It is best to have the badge number of the officer when you make an inquiry.

b) If the officer is no longer at Toronto police:

- If the officer is no longer at Toronto police, then call the division at which the investigation took place. Be sure to get the name of the officer who helps you, and the name of his staff Sgt. The name of the staff sgt should be placed in the police information on the application forms.

c) The information you need:

- Occurrence number (you will need the address, and names of victims/alleged offenders)
- Date of Birth of Alleged offender
- Impressions the officer had of the investigation
- What happened at court? If acquitted or found not guilty why?
- Name of judge
- Court room:
- Date of conviction?

d) the Systems they have:

- **CIPS**-Computer Information Processing System: police data base for arrests, synopsis, witnesses and investigations. When they process a prisoner- that is what creates the Crown Brief, VWAP info.
- **COPS**- Computerized Occurrence Processing System- the data base with the occurrences
- **Manix**- street arrests, what people look like, nicknames, associations
- **Crown Brief info**- when trial is concluded gets sent to CIB office for recording. They get back the completed crown Brief. And it gets placed on CPIC
- **Canadian Police Information Centre**- RCMP database that shows if a person was convicted, no details, requires date of birth

e) Getting to know the police and their Systems:

- Call the CIB, sexual assault squad, and Youth Bureaus and speak to the Sgt or Manager of the department
- Find out if they have cross Division meetings, and if you can come to one to learn about their work
- Set up a meeting to go through their systems.
- When you go, bring lots of information about our clients, our project and the Board

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

OBTAINING POLICE INFORMATION

- 1) All requests of the police must provide the following information (all or as much as possible)
 - a) Find out the occurrence number
 - b) Find out what the officer remembers of the incident/investigation/alleged offender
 - c) Alleged offenders name
 - d) Alleged offender's DOB
 - e) Did it go to court?
 - f) Date of trial/conviction
 - g) Court room number
 - h) Judge's name

- 2) Any police officer can be located by calling 416-808-2222. Be sure to indicate the officer's CURRENT assignment location on the application form. Sometimes the officer is no longer on the force. In that case you call the division it was done in and ask the person who answers the phone to help you out. If you do this, be sure to get the staff sergeant's name in the division as that is the person the Board needs to send their Questionnaire to.

Script:

Hi, my name is _____ - and I'm calling from Children's Aid. I'm in the process of completing a victim compensation claim for a Crown Ward and was wondering if you could help me find an occurrence number for an incident (that you investigated). (Get officer's answer, it is usually yes)

Offer to provide details like- Would having the alleged offenders name/address/Date of birth help? (they will usually ask for one or more than one if their search doesn't work)

If they are having trouble remembering details, you may want to read the section of the recording where they were noted as being involved. Read the description and often that will help jog their memory.

Once they find the occurrence number or determine that they cannot find it, ask if they know if the matter went to court and what happened there. If it did go to court, be sure to explain to the officer that you will be contacting the court to obtain a certified copy and that in order to do that you need to find out the date, the court room, alleged offenders DOB and the judge. The more info you get, the easier it is to get info from the courts.

Thank them for their help, and let them know that some time in the distant future, they will be receiving a Questionnaire from the Board, but that it won't be for some time. You can explain that the Board sends these questionnaires out for all files as a matter of course.

If you get Voicemail:

Hi, my name is _____ - and I'm calling from Children's Aid. I'm in the process of completing a victim compensation claim for a Crown Ward and was wondering if you could help me find an occurrence number for an incident (that you investigated). The incident occurred at _____ (address), alleged offender is _____, and their date of birth is _____, and the victim's name is _____. I can be reached on _____, at 416-924-4646, extension 2089.

- Be sure to call back each week, leaving approximately the same message. If you haven't heard back in a month or so you can call the main line and indicate you haven't had much luck getting in touch with officer X and would that person be able to help you out in finding the occurrence number.

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

OBTAINING PROOF OF CONVICTION

- 1) All requests for Proof of conviction must be done by fax, except from Valerie at the Etobicoke courts.
- 2) All fax requests can be done on CAS Fax sheets located in the 'New Document' section
- 3) All requests must provide the following information (all or as much as possible, bare minimum is alleged offenders name and Date of birth):
 - a) Alleged offenders name
 - b) Alleged offender's DOB
 - c) Date of trial/conviction
 - d) Court room number
 - e) Judge's name
 - f) Investigating officer's name, badge number and occurrence number for incident
- 4) All of the contacts for each courthouse are listed on the Proof of conviction sheet. If you lose any numbers, you can call Douglas Mayer at 416-326-4251 for any court numbers in Toronto.

Script:

Hi, my name is _____ - and I'm calling from Children's Aid. I'm in the process of completing a victim compensation claim for a Crown Ward and was wondering if you received the fax I sent through requesting a certified copy for alleged offender _____. Have you had a chance to look at that request? What is the status of the request? Is there a timeframe I could expect to have a response in?

If you are having trouble getting info:

- a) Call every week and politely follow script.
- b) After a month or so- indicate that you've been calling for a month and not having much luck- Ask for suggestions about how they might expedite the process for you.
- c) If all else fails- after about 2 months- call the manager of court opps and say..

Criminal Injuries Compensation Project

OBTAINING PROOF OF CONVICTION

DOUGLAS MAYER (#'s and info for all courts in Toronto) 416-326-4251douglass.mayer@jus.gov.on.ca

OLD CITY HALL (serves Toronto police divisions 14, 52, 11)

MANGER COURT OPN'S	327-5896	Aldo Bruno
MANAGER OF RECORDS	326-9046	Felicity Leader
RECORDS	327-6297	Janelle Valdez & Robert Roussel
FAX	327-6813	
PROBATION	314-9701	Helen Zografus & Irene Domingues
VWAP	327-5959	Grace Luk

COLLEGE PARK (serves Toronto police divisions 51, 53, 54, 55)

MANGER COURT OPN'S	327-5896	Aldo Bruno
MANAGER RECORDS	326-7919	Teresa Zammit
RECORDS	325-8950	Karim Rehou
FAX	325-8954	
PROBATION	325-0320	Cindy Nash & Joanne Austin
VWAP	325-6117	Eileen Dalufong

1000 FINCH AVENUE (serves Toronto police divisions 13, 31, 32, 33)

MANGER COURT OPN'S	326-6731	Rosa Martelli
RECORDS	314-4208	Debbie, 416-314-8681
FAX	314-4233	
PROBATION	314-0184	
VWAP	314-0009	

EGLINGTON AVENUE (serves Toronto police divisions 41, 42)

MANGER COURT OPN'S	326-6731	ROSA MARTELLI
RECORDS	325-0348	Christopher Trias
FAX	325-0960	
PROBATION	325-0312	
VWAP	325-8588	

2201 FINCH AVE. W.(Etobicoke) (serves Toronto police divisions 12, 21, 22, 23)

MANGER COURT OPN'S	326-6731	ROSA MARTELLI
RECORDS	314-3963	Valerie
FAX	314-3982	
PROBATION	314-2418	
VWAP	314-3944	

416-325-8994 -
Crown's Office
Victim Witness
old City Hall
416-327-5959

361 UNIVERSITY AVENUE

Mgr Court opps, Lou Botucci
Records
Fax

416-327-2749
416-327-5917
416-327-6496

DURHAM REGIONAL COURT

RECORDS 1-905-723-9320
FAX 1-905-430-4403
PROBATION
MANGER COURT OPPTS

PEEL CRIMINAL COURT

RECORDS	905-456-4700	Rachel or Denise
FAX	905-456-4732	
JUDGES CHAMBER	905-456-4830	
CROWN'S OFFICE	905-456-4777	

KINGSTON COURT

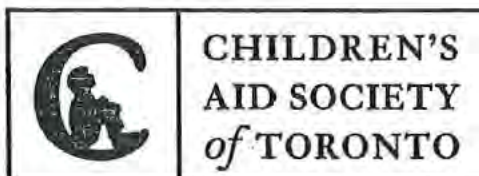
RECORDS (613) 548-6200

311 JARVIS (YCJA/CRIMINAL COURT & FAMILY COURT)

RECORDS (YCJA)	416-327-6879	Doreen George
FAX	416-327-3634	
RECORDS (FAMILY)	416-327-6874	Michelle Badley-Comma

Information not provided by Toronto Region

FACSIMILE



The Criminal Injuries Compensation Project
33 Charles Street E. Toronto, Ontario M4Y 1R9

DATE:	March 3, 2003	FROM:	Tracy Ford
TO:	Gina, 327-5917		
FAX NO:	416-327-6496	PHONE:	(416) 924-4640 ext. 2089
NO. OF PAGES:	1	FAX:	(416) 324-2460
(Including this one)		E-MAIL:	TFord@TorontoCAS.ca

If you have access to the World Wide Web and would like to learn about the work of the Children's Aid Society of Toronto, we have prepared a site for you
<http://www.TorontoCAS.ca>

MESSAGE:

Hi Gina,

I am a social worker at Children's Aid Society and am in the process of completing a victim compensation claim on behalf of Crown Ward, [REDACTED]

Alleged offender: [REDACTED]
Convicted of: Sexually assaulting [REDACTED]
Date of Conviction: July 26, 2002
Crown Attorney: Paul Normandeau.

Could you please fax me a certified copy of the conviction information to 416-324-2460. Please note that Children's Aid is funded through the Provincial Government and is authorized to access this information free of charge. If you have any questions, please don't hesitate to call me at 416-924-4640, extension 2089 on Monday or Friday.

Yours truly,

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

OBTAINING F/S, Court and C/S Files

- 1) The request for records should be done at the same time as you do the referral intake interview.
- 2) For any file that either does not have a conviction or you have not been able to obtain it from the courts, **YOU MUST REVIEW THE CAS RECORDS TO LOCATE PROOF OF INCIDENT.** When you call records (x2015) you must be able to provide,
 - a) The CAS file number
 - b) The name of the mother
 - c) The number of the child (A, B, or C...)
 - d) Request the court file too.

Script:

Hi, this is _____ calling from the Criminal Injuries Project. I'm doing a victim compensation claim for a Crown Ward and would like to request that you send me a copy of the Family Service, Court and Children's Service files.

They will ask you for the file number and if you want to pick it up. You can pick it up, but I usually get them to internal mail it if it isn't an emergency.

If there is any confusion- just let them know that you need to read the entire file to make the claim and that you just need either the Fischer or the Cd Rom for the file.

Criminal Injuries Compensation Project

Keeping Records on Referral Follow up info

1. There is a binder with all follow up info in it
2. Be sure to place all new faxed requests in the binder (copy of fax transmission sheet that says transmission was successful)
3. Call each week to the agency you made the request of to get status of requested info
4. When the request is resolved, place the word 'Resolved' on the sheet and place it in the child's file along with the documentation you obtained.

PART 3: COORDINATOR INFORMATION
REFERRAL PRIORITY

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

REFERRAL PRIORITY LIST

a) Digital List

- Every referral is noted on the digital list which is located in the weekly status folder in a file called 'Referral Priority'
- For each referral input the following info,
 - a) name of social worker
 - b) Y/N conviction, Y/N/NA for obtained proof of conviction
 - c) Name of youth, and their DOB
 - d) Date of intake interview
 - e) Apps Received? Indicate 'N' for No, or the date they were rec'd
 - f) Family Service file. Indicate either date requested, if it was 'rec'd' or if its NA, or if it is 'done' already.
 - g) Update and number of referrals and the date each time you update the list
- Names go on the list from oldest referral name to youngest. This is the order that files need to be done in (oldest first)

b) Filing System:

- The referrals are divided into Conviction files and Non-Conviction files. They are further subdivided by year born/age, with the oldest children closest to the front of the section.
- Files awaiting applications are placed in the 'Intakes Complete' Section.
- When the applications are received, the digital list is updated, and the file is then placed in the appropriate Section by age.
- The files in the cabinet need to be reviewed at least once per year, to make sure all of the information is accurate in the digital version of the referral priority.

c) Updates for Social Workers

- Social Workers need to know the status of their referrals and claims in process in the last weeks of November or the first week of December for Crown Ward Reviews.
- If possible, it is also good to give them an update in June.

d) Limit of Time on List

- If you notice a file has been on the list for over 2 years, attempt to make it a priority for submission.

PART 3: COORDINATOR INFORMATION
BUILDING CLAIMS

Criminal Injuries Compensation Project
Building Claims

See Part 4 for details

PART 3: COORDINATOR INFORMATION
SUBMITTING CLAIMS

Criminal Injuries Compensation Project

Submitting Claims

1. Be sure to review all files using the 2 review tools
2. Call CSU 416-326-2900 if you have any questions
3. Make a duplicate copy of the entire package for our files. We should have the exact same information as they do.
4. Place the file in an envelope and send to the Board
5. The file will get to the Board in a day or two, and will sit in the CICB backlog for between 2-6 months. Call after 2 months for status, and every 2 weeks after that.
6. When the file is dispatched to the Analyst unit, it sits with the Manager for some time until it is assigned to an analyst. The analysts are swamped, and their initial review of the file can take several months also. Just keep calling every few weeks to find out the status.

CRIMINAL INJURIES PROJECT
COORDINATOR'S REVIEW SHEET

CICB FILE NO.:

CLAIMANT:

Incident #1

Incident:

Alleged Offender-

Police-

Medical- at time of incident?

Long Term Psch info:

Conviction

Missing Info:

Incident #2

Incident:

Alleged Offender-

Police-

Medical- at time of incident?

Long Term Psch info:

Conviction

Missing Info:

Incident#3

Incident:

Alleged Offender-

Police-

Medical- at time of incident?

Long Term Psch info:

Conviction

Missing Info:

Incident #4

Incident:

Alleged Offender-

Police-

Medical- at time of incident?

Long Term Psch info:

Conviction

Missing Info:

ARE ALL SECTIONS ORGANIZED INTO CHRONOLOGICAL ORDER WITH THE OLDEST MATERIALS AT THE FRONT AND THE MOST RECENT AT THE BACK?

Yes ☐ No ☐

DID YOU OBTAIN 'OUTSIDE AGENCY AUTHORIZATION' FOR EACH NON-CAS DOCUMENT USED?

Yes ☐ No ☐

DID YOU CONTACT THE POLICE TO LOCATE THE OFFICER, DETAILS OF INVESTIGATION AND THE OCCURRENCE NUMBER?

Yes ☐ No ☐

DID YOU OBTAIN PROOF OF CONVICTION?

Yes ☐ No ☐

ARE ALL THE APPLICATION FORMS SIGNED?

Yes ☐ No ☐

CRIMINAL INJURIES COMPENSATION PROJECT

APPLICATION COMPLETION REQUIREMENTS

1. All Victim info requested on page 1
2. Alleged Offender info: All known. If stranger, state "stranger" in the space
3. Particulars of the Incident: Date of incident & City of Incident
4. Details of Incident and Injury: Provide a brief description in each box
5. **Police Investigation:**
 - a) Name of Police service and Division
 - b) Officer's name and Badge Number
 - c) Date of Police Contact (Year and month minimum)
 - d) Occurrence Number
6. You must **sign and date EVERY page** of the package, whether or not you indicate any information on a page.
7. You must identify at least one therapist or visit to a doctor on the **treatment form** (*If you are doing an Extension Request, you won't have a Treatment Form so don't worry about it)

* Before you submit your claims package, call 416-326-2900 and go over what you've written with a Client Services Representative at the Board to make sure its all done correctly.

SUPPORTING DOCUMENTATION

a) Proof of Incident: (You should try to get AT LEAST 3 items)

- 1) Statements from Witnesses (family, friends, teachers, social workers ect)
- 2) CAS Abuse Investigations (usually in Family Service (F/S) File)
- 3) Letters Re: alleged offenders name was placed on Child Abuse Register
- 4) CAS F/S Recordings at the Time of Incident (Family Service file)
- 5) CAS Family Court Affidavits
- 6) Police Investigations in formation; letter from police officer (You'll have to find out who the officers were, if they are still at the service and if they remember your case, if not, just get an occurrence number)
- 7) **A copy of 'Reasons for Judgement', 'An indictment' or 'Probation Order'** if the person was convicted for your incident.
- 8) Victim Impact Statement (Information package included)

b) Proof Of Injury (2 Types)

1) Proof of Injuries You sustained at the time of the Incident

- Did you have an exam by a family doctor or at SCAN?
- Did you have a psychological assessment at the time?

2) Proof of Long-Term Injuries

- Ongoing visits to the Doctor for symptoms resulting from the incident?
- Psychological Reports
- Intake Assessments & Termination Summaries from each Placement you've been in.
- CAS/Outside Resource/School reports that document the 'behavioural consequences' you have as a result of the incident.

YOUR JOB IS TO RE-TELL YOUR STORY BY OBTAINING DOCUMENTS THAT PROVE IT!

* You need to make the story clear and easy to understand. Be sure you can explain any 'gaps' in your story. **Collect all of your materials and place them in chronological order placing the earliest dated document at the front, and the most recent information at the back.**

* You will have to do a lot of investigation, follow-up and wade through a lot of bureaucratic red tape to obtain the necessary documents.

PART 3: COORDINATOR INFORMATION
FOLLOW UP ON FILES IN PROCESS

Criminal Injuries Compensation Project

SAVING FOLLOW UP INFORMATION ON EACH CLAIM

1. For each file you start, create a folder with the Family name of the client and save it in follow-ups.
2. Follow ups folder can be found:

Data
MSWdata
Criminal Injuries Project
Weekly Status
Follow Ups

3. Each letter, document, fax, status note you keep needs to be stored in the file belonging to the client so you can go back any time to see what work was done on the file.
4. Each File should have a **follow up sheet** that contains details of your investigation, searches for information, and status of your file. Example included.

Name of claimant:
DOB of claimant:
CICB File No.:
Worker:

To Do:**Victim Impact Statement:****Police Info:****Proof of Conviction:**

Alleged offender info: Attempt to contact [REDACTED] for the CAS documentation she was handed before conducting the psychiatric assessment on [REDACTED] in September/October 1990.

Pending (in File)

Cover Letter : Signed and ready to go

Documentation: Organized and ready to go

Application: signed and ready to go

Form 14/Releases: None Required

Medical Info: [REDACTED] has refused any treatment. Therefore [REDACTED]'s letter will have to stand as current therapy.

June 10, 2003: Left message with police (808-5555). Officer X called back to say that he remembers incident and to call back on Friday.

June 15, 2003: Rec'd message from claimant, she is completing Victim Impact statement. Called officer and got occurrence number and details of court info. Faxed request to Old City Hall courts (416-325-5555) for copy of Indictment

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

Follow up for Files in Process

- If you haven't heard from the Board on a file for two months, call and ask for status.
- For files in process: We keep a record of the activity on each file on the hard drive and it is printed out at the end of each week. The MS Word file is called Updated Active Files and it can be found in the weekly status folder.
- For each outstanding piece of information, contact the officer, court, or therapist each week and politely explain who you are and inquire about the status of your request. Never leave these calls for more than two weeks, as the request will get lost.

PART 3: COORDINATOR INFORMATION
COMPLETING FILES IN PROCESS

Criminal Injuries Compensation Project

Initial Letter

- The Initial Letter is sent out on Every file following the analyst's review of the initial submission
- This letter will detail, specifically what information they need us to clarify or confirm
- This letter will also contain CICB Analyst Reports based on the information we marked on the Treatment Form. You must follow up on these reports immediately- the sooner you get them done, the sooner the file gets to a hearing. Also, if you don't do it right away, its easy to lose track of it.
- When you send the Analyst reports, along with a request and form 14 to the practitioner noted, be sure to call them every week or they may lose your request and you'll have to ask the Board to re-issue them.

Criminal Injuries Project

TYPES OF ANALYST REPORTS

- When an analyst completes their review of a file, they will request whatever information is outstanding from the file.
- No file is accepted at the Board with a blank Treatment Form (see application form package)
- Do not put information on the Treatment form pertaining to reports we **already** submitted.
- There are 3 types of information that we put on the treatment form,
 - 1) Any **critical** medical or psychological information that we did not include in the initial submission, but we knew about
 - 2) Any documentation from practitioners who refused to release a report without a request from the Board
 - 3) Details of current therapy- if the child is currently in therapy, place the name of the therapist; if they are not, then place the name of the child's social worker on the Treatment form.
- The analyst wants **all** outstanding docs and details of the child's current status.
- Depending on the type of incident, and the kind of treatment the victim underwent, we will receive different types of Analyst Reports to complete. For example, the most common reports we request are,
 - 1) Hospital Report
 - 2) Therapy Report
 - 3) Therapy Report (Sexual Assault)
- When you receive one of these reports to complete, you must locate the contact number, name and find out where to send the request.
- Almost all agencies expect a signed form 14 to accompany **such** a request. Since we complete the treatment form before submission, be sure to get the Form 14's signed at the same time that you do the ones for the reports that you get before submission. **Do not date these particular form 14's as they expire in 6 months time. Date them when you are preparing to fax the CICB Report.**
- Call the agency back to confirm they received your request to complete the CICB Analyst reports. Be sure they know they can **invoice** the Board for completing these documents. Ask when they will complete the request. Call back each week and ask status until the request is resolved.
- If the therapy report is to be completed by the child's social worker, then do the report with the worker over the phone, go over and get them to sign it, bring it back, photocopy it for our file and submit to the board. **Then send an invoice in the email to Candi Iozzo so she can bill the Board for completing the therapy report.** Procedure for invoicing in next section.



Criminal Injuries Compensation Board
439 University Avenue, 4th Floor
Toronto, Ontario M5G 1Y8
Toll Free: 1-800-372-7463
Tel: (416) 326-2900 Fax: (416) 326-2883



1954

Therapy Report

ON
CANADA

An application to this Board has been submitted for the victim named below as a result of injuries sustained in an act of criminal violence. The victim has stated that you provided treatment for the injuries received. To assist the Board in assessing the victim's claim, please complete the information on this form and return it to us at your earliest convenience.

Please be advised that any information submitted to the Board is subject to both the "Freedom of Information and Protection of Privacy Act" and the "Statutory Powers Procedure Act".

File Number



Victim Information			
Last Name:		Given Name: ON	
Other Name:		Maiden Name:	
Address: C/O 33 CHARLES STREET EAST		Apt/Suite:	
City:	Prov/State: ON	Postal/Zip Code:	Country: CANADA
Birthdate (yy.mm.dd):	Sex: M	SIN/SSC:	Health Card #:
Date of injury (yy.mm.dd): 1995.05.29		City where injury occurred: TORONTO	

Please complete the following information: (Please PRINT or TYPE)

01	Type of practice: (please check one) <input type="checkbox"/> Psychiatrist <input type="checkbox"/> Psychologist <input type="checkbox"/> Therapist <input type="checkbox"/> Counsellor <input checked="" type="checkbox"/> Social Worker <input type="checkbox"/> Other (specify): _____
02	Presenting Problems:
03	Form of Therapy:

Please complete reverse side ...

1955

05	Unit Charge	:	\$	
06	Amount paid by patient	:	\$	
07	Amount paid by other source	:	\$	Name of Source :
08	Outstanding balance	:	\$	
09	Prognosis:			
10	Disability: (please check one) <input type="checkbox"/> Temporary <input type="checkbox"/> Permanent			
11	Period unable to work: (if applicable)	From	Year	Month
			Day	To
12	Please discuss the reasons the victim was unable to work during the period above:			
13	Other comments:			
14	Therapist's Stamp:			
	Signature	:		
	Name	:		
	Address	:	410 33 CHARLES ST E	
	City	:	TORONTO	Postal Code : M5Y 1R9 Prov : ON
	Telephone	:	416 924-4640 x 2222	
	Date	:	May 10, 2003	

Thank you for your co-operation. If you have any questions, please contact this office at (416) 326-2900 or toll free at 1-800-372-7463.

Delma Munoz
Compensation Analyst

April 22, 2003

**Criminal Injuries Compensation Board**

439 University Avenue, 4th Floor

Toronto, Ontario M5G 1Y8

Toll Free: 1-800-372-7463

Tel: (416) 326-2900 Fax: (416) 326-2883



1956

EMERG-HSP*

Hospital Report

ROYAL OTTAWA HOSPITAL
1145 CARLING AVENUE
OTTAWA ON K1Z 7K4
CANADA

An application to this Board has been submitted for the victim named below as a result of injuries sustained in an act of criminal violence. The victim has stated that you provided treatment for the injuries received. To assist the Board in assessing the victim's claim, please complete the information on this form and return it to us at your earliest convenience.

Please be advised that any information submitted to the Board is subject to both the "Freedom of Information and Protection of Privacy Act" and the "Statutory Powers Procedure Act".

*** PLEASE ATTACH THIS FORM TO THE HOSPITAL RECORDS YOU ARE SENDING. ***

File Number**Victim Information**

Last Name: _____		Given Name: _____	
Other Name: JEAN		Maiden Name: _____	
Address: 33 CHARLES STREET EAST, C/O CAS			Apt/Suite: _____
City: TORONTO	Prov/State: ON	Postal/Zip Code: M4Y 1R9	Country: CANADA
Birthdate (yy.mm.dd): _____	Sex: F	SIN/SSC: _____	Health Card #: _____
Date of injury (yy.mm.dd): 1997.04.14		City where injury occurred: TORONTO	

Date of Hospital Visit: _____	Hospital Reference #: _____
-------------------------------	-----------------------------

Please send only the following, if available: (Please exclude nurses notes)

- ☐ AMBULANCE CALL REPORT
- ☒ EMERGENCY DEPARTMENT RECORDS
- ☒ SEXUAL ASSAULT RECORDS
- ☐ OPERATIVE RECORDS
- ☒ PSYCHIATRIC RECORDS
- ☒ OUT-PATIENT RECORDS
- ☒ DISCHARGE SUMMARY

Thank you for your co-operation. If you have any questions, please contact this office at (416) 326-2900 or toll free at 1-800-372-7463.

Georgina Dash
Compensation Analyst

March 3, 2003



Criminal Injuries Compensation Board
439 University Avenue, 4th Floor
Toronto, Ontario M5G 1Y8
Toll Free: 1-800-372-7463
Tel: (416) 326-2900 Fax: (416) 326-2883



1957

1/THS

Therapy Report (Sexual Assault)

THERAPY/COUNSELLOR

ON
CANADA

An application to this Board has been submitted for the victim named below as a result of injuries sustained in an act of criminal violence. The victim has stated that you provided treatment for the injuries received. To assist the Board in assessing the victim's claim, please complete the information on this form and return it to us at your earliest convenience.

Please be advised that any information submitted to the Board is subject to both the "Freedom of Information and Protection of Privacy Act" and the "Statutory Powers Procedure Act".

File Number

Victim Information

Last Name		Given Name: <u> </u>	
Other Name:		Maiden Name:	
Address: C/O 33 CHARLES STREET EAST		Apt/Suite:	
City: TORONTO	Prov/State: ON	Postal/Zip Code:	Country: CANADA
Birthdate (yy.mm.dd):	Sex: F	SIN/SSC:	Health Card #:
Date of injury (yy.mm.dd): 1996.05.08		City where injury occurred: WILLOWDALE	

Please complete the following information: (Please PRINT or TYPE)

01	Type of practice: (please check one) <input type="checkbox"/> Psychiatrist <input type="checkbox"/> Psychologist <input type="checkbox"/> Therapist <input type="checkbox"/> Counsellor <input type="checkbox"/> Social Worker <input type="checkbox"/> Other (specify): _____ (* Please attach a Resume or Curriculum Vitae to this report.)
----	--

02	Presenting Problems: a Please describe to the best of your knowledge, the incident(s) which occurred are the basis for this application. Please be specific as possible.
----	---

02 Presenting Problems (continued):

b Please describe the symptoms and/or difficulties this victim has experienced as a result of the sexual abuse/assault(s).

c How has the victim's life, on a day to day basis, been affected by the assault(s) and ensuing symptoms? (Please address each issue as education, work, relationships, friends, etc.)

03 History (please check one) ☐ Short Term ☐ Long Term

04 Emotional Trauma (Please indicate on this chart with an 'x' the severity of the victim's trauma.)

Period of Trauma	Mild	Moderate	Severe
1 to 3 months			
3 to 6 months			
6 to 12 months			
12 to 24 months			
Over 24 months			

05 Presenting Issues and Problems (indicators of trauma)

06 Traumatic Symptoms (Indicate symptoms and how they affect the victim's life/functions)

07 Background:

a Please describe, to the best of your ability, what this victim's life was like prior to the assault(s).
(Family background, significant life events, education, etc.)

b Please describe any other relevant circumstances which may be contributing to the victim's difficulties.

08 Additional comments you wish to make.

a Please describe the nature and frequency of the therapy/counselling. :

b Dates(s) of treatments:

10 Unit Charge : \$

11 Amount paid by patient : \$

12 Amount paid by other source : \$ Name of Source :

13 Outstanding balance : \$

14 Prognosis (Please discuss long-term & short-term impact, and projected prognosis):

15 Disability: (please check one) ☐ Temporary ☐ Permanent

16 Period unable to work: (if applicable) From Year Month Day To Year Month Day

17 Please discuss the reasons the victim was unable to work during the period above:

18 Therapist's Stamp:

Signature : _____

Name : _____

Address : _____

City : _____ Postal Code: _____ Prov: _____

Telephone : _____

Date : _____

Thank you for your co-operation. If you have any questions, please contact this office at (416) 326-2900 or toll free at 1-800-372-7463.

Nasim Walli
Compensation Analyst

February 11, 2002

**Criminal Injuries
Compensation Board**

439 University Avenue
4th Floor
Toronto ON M5G 1Y8
Tel.: (416) 326-2900
1-800-372-7463
Fax: (416) 326-2883

**Commission d'Indemnisation
des victimes d'actes criminels**

439 avenue University
4^e étage
Toronto ON M5G 1Y8
Tél.: (416) 326-2900
1-800-372-7463
Télééc.: (416) 326-2883



BULLETIN

**PAYMENT FOR HOSPITAL RECORDS,
MEDICAL, DENTAL AND THERAPY REPORTS**

As of November 1, 1998 the Criminal Injuries Compensation Board will pay for hospital records and medical, dental and therapy reports required to process claims for compensation before the Board.

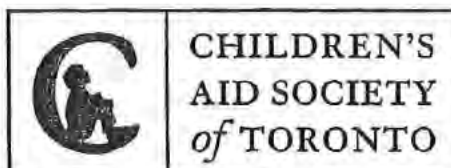
The Board will pay the full cost of each hospital record and up to \$100 for each medical, dental and therapy report.

It will still be the responsibility of applicants to obtain the records and reports and to inform the hospitals, doctors, dentists and therapists that invoices should be mailed to the Board along with the records and reports. A copy of this bulletin may be presented as confirmation that the Board will be assuming responsibility for payment of records and reports.

It is important that the file number be noted on each invoice presented to the Board.

Applicants should not request records or reports until they have submitted the completed, signed and dated application forms to the Board.

FACSIMILE



Criminal Injuries Project
32 Isabella Street, Toronto, Ontario M4Y 1R9

DATE: April 16, 2002	FROM: Tracy Ford
TO: Carole Burpee	
FAX NO: 905-628-0525	PHONE: (416) 924-4640 ext. 2089
NO. OF PAGES: 11 (including this one)	FAX: (416) 324-2460
	E-MAIL: cinjuries@TorontoCAS.ca

If you have access to the World Wide Web and would like to learn about the work of the Children's Aid Society of Toronto, we have prepared a site for you
<http://www.TorontoCAS.ca>

MESSAGE:

Hi Carole,

I'm requesting this information in support of *Victim compensation claims*. The Board is seeking information that will clearly identify long term injuries that these children received as a direct result of the sexual assault.

Although it is difficult to separate such injuries from other life experiences, the Board would like you to be as explicit about the effects of the sexual abuse as possible because they are in a very 'evidence based' phase right now. They will not make awards for long term injuries that are not being claimed for or do not fall under the Criminal Code such as emotional abuse, neglect or chaotic lifestyles.

If you would like to complete the two therapy reports alone, that would be fine. If there is any information in your recordings that would directly link the child's issues with sexual assault, you could also include them with your submission.

You can send this information directly to the Board. If you wish, you may also submit an invoice to the Board for up to \$100 for each therapy report. They will send you reimbursement in the mail by cheque. If possible, could you also fax me a copy of the materials you submitted so that we have a copy here at CAS?

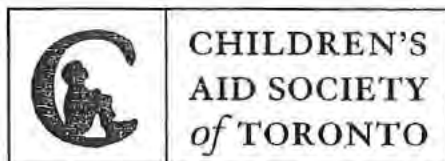
Tracy Ford

This information in this facsimile may contain confidential information intended only for the person(s) named above. If you have received this facsimile in error, please notify us immediately by a collect telephone call to the senders number and return the original transmission to us by mail. We will reimburse you for postage. Please do not disclose the contents to anyone by either the dissemination, distribution or the copying of this communication.

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

Invoicing

- For each file, the Board wants to have some current therapy information before the file goes to a hearing. If the child/youth we are claiming for is not in therapy currently, we indicate the social worker's name in the Treatment info and the Board will send a Therapy Report for them to complete.
- When you receive a therapy report to complete, call the social worker and or leave a message with them to call you when they are in noting that you have a therapy report to complete. Let them know it will only take a few minutes to complete. Call every week until you reach them.
- Work on the questions over the phone. When complete, take the form over to the worker and have them sign and date the form.
- Photocopy the therapy report.
- The original goes to the Board, along with a note indicating that an invoice is forthcoming. Copies of these are placed in the child's file.
- Draft a letter (use previous invoice format which can be found in the 'weekly status update folder' in a sub-folder called 'invoices') and email the file to Candi Iozzo (x2027). She will invoice the board for the completion of the therapy report. Save the new file with invoice # and child's name as title.
- A copy of the invoice and the email are placed in the invoices binder and followed up on in about 3 weeks with Candi.

**Children's Aid Society**

Amount: \$100

Memo: Therapy report for _____, CICB File No: _____

Please forward Payment to:

Children's Aid Society

Criminal Injuries Compensation Project

C/o 33 Charles Street East

Toronto, ON M5G 1Y8

Attention: Mary Allan, supervisor, Adoption Disclosure

PART 3: COORDINATOR INFORMATION
HEARINGS

Criminal Injuries Compensation Project

Hearings

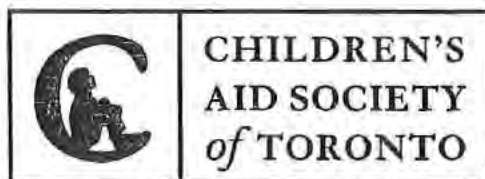
- When the PQ, court and medical reports are received by the Board, the analyst does a final review of the file
- If there is no conviction, then the Board generally makes an attempt to notify the alleged offender; however, you can ask the analyst or they may volunteer to ask the Chair of the Board to waive the alleged offender notification
- When you get a CICB Form called 'Ready for A Hearing' it means the file is on the RTBH list.
- That means you need to do the FOI request and the Hearing summary (instructions in following pages)
- You also have to call the social worker and the scheduling staff at CICB, set a date, and
- Brief the worker on the file, and how to present it to the Board members.

Criminal Injuries Compensation Project

FOI Request

- When we submitted the file to the board, we made an exact mirror copy for our files. Since then, the Board has obtained additional, key information that will inform us on what to expect at the hearing such as,
 - a) The Police Questionnaire
 - b) The Reason's for Judgement from the courts
 - c) Medical reports that were sent directly from the Hospital or therapist to the Board.
- We need to see all of the information they have collected to adequately brief the social worker, so we do a Freedom of Information Request to the Board.
- On the next page you will see the letter I use to make that request, along with the staff who administers these requests.

FACSIMILE



The Criminal Injuries Compensation Project
33 Charles Street E. Toronto, Ontario M4Y 1R9

DATE:	November 27, 2002	FROM:	Tracy Ford
TO:	Rowena Maninang		
FAX NO:	416-326-2883	PHONE:	(416) 924-4640 ext. 2089
NO. OF PAGES:	2	FAX:	(416) 324-2460
(Including this one)		E-MAIL:	TFord@TorontoCAS.ca

*If you have access to the World Wide Web and would like to learn about the work of the
Children's Aid Society of Toronto, we have prepared a site for you*
<http://www.TorontoCAS.ca>

MESSAGE:

PLEASE FORWARD TO FREEDOM OF INFORMATION OFFICER, ROWENA MANINANG.

RE File No: _____

Dear Rowena,

We are in the process of preparing the above noted file for a hearing. Please accept this request for:

- 1) CICB form, "Police Questionnaire(s)"
- 2) CICB forms, "Analyst Reports" (hospital, therapy, sexual assault ect)
- 3) Any court documentation obtained by Claims Support

If you have any questions, or require further information, please contact me at 416-924-4640, x 2089.

Thank you,

Criminal Injuries Compensation Project

HEARING SUMMARY

1) Alleged offender _____

2) Incident:

a) Was there a conviction in this case? Yes ☐ No ☐

i) If yes, documented by... Check all that apply Copy on Our file?*

Family Court Judge	<input type="checkbox"/>	<input type="checkbox"/>
Sworn Affidavit	<input type="checkbox"/>	<input type="checkbox"/>
CICB Police Questionnaire	<input type="checkbox"/>	<input type="checkbox"/>
Word of police officer	<input type="checkbox"/>	<input type="checkbox"/>
Criminal Trial documents	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Indictment	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Probation Order	<input type="checkbox"/>	<input type="checkbox"/>
Testimony of a Crown Attorney	<input type="checkbox"/>	<input type="checkbox"/>

* Obtain at least one of these documents before hearing

ii) If no, what documents are we using to provide evidence that this incident occurred??

* Use as many of these forms of documentation possible to support claim

A) Family Service Recordings at the time of the incident	<input type="checkbox"/>	Copy on Our file?
Pertinent info & Date of recordings	a) _____ <input type="checkbox"/>	<input type="checkbox"/>
	b) _____ <input type="checkbox"/>	<input type="checkbox"/>
	c) _____ <input type="checkbox"/>	<input type="checkbox"/>
	d) _____ <input type="checkbox"/>	<input type="checkbox"/>
ii) Family Court docs showing CAS's testimony of incident	<input type="checkbox"/>	
Pertinent info & Date of court docs	a) _____ <input type="checkbox"/>	<input type="checkbox"/>
	b) _____ <input type="checkbox"/>	<input type="checkbox"/>
	c) _____ <input type="checkbox"/>	<input type="checkbox"/>
	d) _____ <input type="checkbox"/>	<input type="checkbox"/>
iii) Report of Physical/Sexual Abuse of children Form	<input type="checkbox"/>	<input type="checkbox"/>
iv) Copy of letter to Alleged offender to Child Abuse Registry	<input type="checkbox"/>	<input type="checkbox"/>
v) Letters of Testimony/Affidavits	<input type="checkbox"/>	
from: Social worker's letter	<input type="checkbox"/>	<input type="checkbox"/>
name: a) _____	<input type="checkbox"/>	<input type="checkbox"/>
b) _____	<input type="checkbox"/>	<input type="checkbox"/>
c) _____	<input type="checkbox"/>	<input type="checkbox"/>
vi) Copy of CICB Police Questionnaire	<input type="checkbox"/>	<input type="checkbox"/>
• When file is complete, fax an FOI request to CICB for this info		
• Was the police officer supportive of claim?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
• Points of support/rebuttal _____		
• OBTAINED COPY OF CICB POLICE QUESTIONNAIRE?	YES <input type="checkbox"/>	

3) Proof of short-term injuries:

a) Did a doctor see the child at the time of the incident? Yes ☐ No ☐
 If yes, do you have a copy of the report? Yes ☐ No ☐
 If not, why? _____

b) Was the child seen by (check all that apply) a psychologist ☐ psychiatrist ☐ psychotherapist ☐ counsellor
☐ group therapy ☐ at the time of the incident?
 Do we have reports for those checked? Yes ☐ No ☐
 If not, why? _____

c) Was the child seen by a dr. within 6 months of the incident? Yes ☐ No ☐
 If yes, do you have a copy of the report? Yes ☐ No ☐
 If not, why? _____

d) Was the child seen by (check all that apply) a psychologist ☐ psychiatrist ☐ psychotherapist ☐ counsellor
☐ group therapy ☐ within 6 months of the incident?
 Do we have reports for those checked? Yes ☐ No ☐
 If not, why? _____

4) Proof of Long-term injuries:**a) Psychiatric, medical and Psychological Assessments**

i) Do you have all of the psych. assessments from C/S file? Yes ☐ No ☐

Do we have a copy on file?

Author/Date	a) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	b) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	c) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	d) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	e) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	f) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

ii) If no, why not? _____

b) Do you have docs from CAS & Outside resources? Yes ☐ No ☐

Do we have a copy on file?

Author/Date	a) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	b) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	c) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	d) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	e) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	f) _____	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

ii) If no, why not? _____

c) Did you include a copy of the most recent plan of care? Yes ☐ No ☐

d) Obtained all copies of CICB 'Analyst Reports' from CICB (By requesting under FOI): YES ☐

What will happen at the hearing:

They will ask you questions about what happened, how often it happened and how severe the actions were. They generally look for as much detail as possible.

They will ask you to clarify any discrepancies or gaps in information.

They will ask you how he is today. This is very important. You need to be very detailed and clear about the issues he is still dealing with and how he relates them to the abuse we are claiming for. If he has anger, anxiety, issues with authority, fear of adults or authority figures ect- you needs to discuss that in context of how it makes his life challenging on a day-to-day level. You need to be clear that these symptoms are directly related to the abuse. Often the board members will try to find out if the symptoms are caused by any other experiences (that are not compensable-like the fact that [REDACTED] also abused him in India or that he may have been sexually assaulted by other people) it is important to state clearly that you believe that these symptoms/injuries are, as much as we can tell, a direct result of these incidents.

You can ask to address the panel and indicate that you believe his injuries are long term and will continue to have a profound effect on his daily life. Indicate that he will be dealing with them for many years to come and that an award for counselling would be important as he may want to access treatment for these long term injuries after he's out of CAS. If you want, you can tell them you want the money held in trust until his 21st birthday.

If you have any other questions, give me a call at extension 2089.

Criminal Injuries Compensation Project

Attending a Hearing

- For Crown Wards who have left Care or do not get along with their workers, you may have to brief and attend a hearing with a Ward or Former Ward.
- You need to get their contact information and make sure they know the date and time of their hearing.
- You need to arrange to meet them approximately 1 week before the hearing for a briefing
- **UNDER NO CIRCUMSTANCES CAN YOU SHOW THE WARD THE FILE CONTENTS. IF THEY WANT TO SEE THEIR FILE, THEY MUST MAKE A REQUEST THROUGH ADOPTION DISCLOSURE**
- Coach them on what to expect and get a feel for how willing they are to discuss the issues.
- Be sure to acknowledge that by thinking about this stuff, it may bring up memories. If it does, advise them to (a) write it down, or (b) find out if they have someone to talk to, (c) make sure they have the number for the distress line or access to a therapist.
- Make a time and place to meet (I usually get them to meet me at the Board since the subway stop is right there) about 45 minutes – 1 hour before the hearing. Go for a coffee at the Great Canadian Bagel brief, and chat- stay tuned to how they are doing. Reassure!
- When you go up to the 4th floor, you will be directed to the Court Constable who will sign you in.
- When the hearing is about to start, the youth will be asked to enter the hearing room alone, they will then let you know if you can enter the hearing.
- You will get sworn in, and for the most part, the Board members will not address you, unless there is some information clarification they need- so be sure to be familiar with the file!
- After the hearing, go out for a coffee or lunch with the young person and depressurize. Praise them on a job well done and find out how they are doing. If they seem to want to talk about other stuff, just remind them of supports available if they start having symptoms of trauma (nightmares, aggressiveness ect), and move on to what they want to talk about.

PART 3: COORDINATOR INFORMATION
POST-HEARING

Criminal Injuries Compensation Project
Post-Hearing Follow Up

1. Do not follow up on a file until 10 weeks after the hearing.
2. On the 10th or 12th week, call the Board and request status
3. The CSU staff are instructed to be vague about the status of Board Orders because they (a) don't want people to get their hopes up (b) all board orders go through finance, they don't want people to think they are necessarily getting an award, (c) they need to protect the Board Members who sometimes take way too long to complete an Order Template.
4. The Post Hearing Process looks like this:
 - (a) Decision to award and for how much, decided at the hearing itself
 - (b) Board Member takes file and notes and uses a hearing template (see next page of this section) to complete Order
 - (c) When they complete the order, the file and Order are returned to the CICB office
 - (d) Orders are then entered into the CICB system,
 - (e) Then forwarded to the Chair for review, edits and sign off
 - (f) Then the file is forwarded to the Finance Department who takes about 2 weeks or less to process their stuff (printing order, administering cheques)
5. When you call for the status ask specific questions like,
 - (a) Has the Order been submitted back to the office yet (ie, has the Board member done their end of things)
 - (b) Is the file in Finance?
6. The CSU staff will not want to answer this, just re-assure them you won't freak out and will continue waiting patiently.
7. If the Member to the office has not submitted the Order, begin calling every two weeks for status; the same for Orders that are awaiting sign off.
8. When you hear the Order is in Finance, don't bother calling back unless you don't receive the order in a month after you receive that information.

Criminal Injuries Compensation Project
Example of 'Board Order Template'



Ministry of
the Attorney
General

Criminal
Injuries
Compensation Board

In the matter of the Compensation for Victims of Crime Act, R.S.O. 1990, c.C.24, as amended, and in the matter of a claim by [APPLICANTS NAME]

Before Board Member, Member
Board Member, Member

at Place of Hearing

on Date of Hearing

Designated by the Chair under Section 8.

Appearance:

Applicant's name, Applicant

Counsel's name, Counsel for the Applicant

ORDER

Parties and Definitions

This is an application by [Applicant's name] for compensation for injury arising from the commission of a crime of violence.

In this Order, [Applicant's Name] will be referred to as the "Applicant". [Offender's name] will be referred to as the "Alleged Offender". The Compensation for Victims of Crime Act, R.S.O. 1990, c.C.24, the legislation under which this application is made, will be referred to as the "Act".

The Issue

The Applicant is required to prove, on a balance of probabilities, not only that [he/she] was a victim of a crime of violence but also that as a result of this crime of violence committed against [him/her], [he/she] suffered injury pursuant to Section 5(a) of the Act.

The Incident**The Injury****Expenses**

[to include claim for loss of income]

Disposition of Criminal Charges

The "Alleged Offender" was never charged and [...]

The Decision

The fact that there has not been a conviction is not fatal to the Applicant's claim. Section 16(1) of the Act provides that compensation may be awarded whether or not a person has been prosecuted or convicted of the offence giving rise to the injury or death.

The Board finds the Applicant to be a victim within the meaning of Section 5(a) of the Act.

The Award

[note any payments made by the Board prior to hearing eg Section 14, 22 or 25 or previous orders]

The Board now orders payment as follows:

Section 7(1)(a) Expenses	\$
Section 7(1)(b) Income Loss (Applicant)	\$
Section 7(1)(c) Income Loss (Dependants)	\$

Section 7(1)(d) Pain and Suffering	\$
Section 7(1)(f) Other Pecuniary Loss	\$

TOTAL AWARD	\$
--------------------	----

[delete any sections that do not apply]

The Board recognizes that no amount of money can adequately compensate victims for the injustice they have suffered but also finds the amount of the award to be reasonable within the context of the Act.

If the Applicant is not in agreement with the decision as outlined above, the Applicant may, under Section 23 of the Act, appeal this decision on a point of law, within 30 days of receiving it, to the Superior Court of Justice (Divisional Court), Osgoode Hall, 130 Queen Street West, Room 174, Toronto, ON M5H 2N5 (416)327-5100.

PAYMENT

THE BOARD ORDERS that the following sums be paid forthwith to:

[Applicant's name]	\$
--------------------	----

DATED at Toronto **this** **day of** **199 .**

[Board Member's name]
Board Member, Panel Chair

[Board Member's name]
Board Member, Member

[bm init]

CRIMINAL INJURIES COMPENSATION PROJECT

File Closing

- 12-16 weeks following a hearing we should receive a Board Order indicating the decision of the reviewing panel members. If you haven't received the Board order and its 10 weeks after the hearing, start calling the Board every other week for status.

- Once you have the Order (and in some cases the cheque) pull the file and strip it.

- **Stripping a file:**

Keep the following information from the file in this order- this info will be sent to records.

- The Referral form
- The Entire CICB application form, including cover letter
- A copy of the Social Worker's letter
- Proof of conviction (if applicable)
- CICB Police Questionnaire (if applicable)
- All CICB Medical/Therapy/Hospital reports
- All Therapy reports that were sent to Board from Practitioners (ie, they are not already on our CAS file)
- The Hearing Notices
- Hearing Summary
- A copy of the Board Order
- A copy of the cheque (if applicable)

- Once the file is stripped,

- Complete a **Record of Award Sheet** (Found in "Files sent to records" sub-folder in weekly Status folder).
- Make 2 copies of the Board order & cheque (1 goes to worker, 1 for our file closings binder, 1 goes to records).

- **For the Pile Going to Records:**

- Place the Record of Award sheet on top of the stripped file info.
- Make sure all the staples are removed from the materials
- Place them in an internal mail envelope and send them to Records!

- The irrelevant paperwork from the file can be placed in the shredding box. //

- Be sure to place a copy of the Board order and Record of Award in the file closings binder. //

CRIMINAL INJURIES COMPENSATION PROJECT

RECORD OF CICB DECISION

CAS FILE #:
NAME OF CLAIMANT:
CICB FILE # :

1. AWARD INFO

AMOUNT OF AWARD :
*AWARD FOR COUNSELLING NOTED ON ORDER? YES/NO (Choose one)

DATE ORDER COPIED?:
DATE ORIGINAL SENT TO WORKER:

2. FINANCIAL INFO

(COMPLETE A OR B)

A) CHEQUE ENCLOSED?

DATE CHEQUE RECEIVED:
CHEQUE COPIED?
DATE ORIGINAL SENT TO WORKER?:

B) NO CHEQUE ENCLOSED

**FUNDS HELD IN TRUST:
FUNDS CAN BE ACCESSED AT WHAT AGE?

APPLICATION DENIED? (YES/NO)
WHY WAS APPLICATION DENIED?:

DATE ORDER AND CHEQUE SENT TO RECORDS:

* In order to receive the award for counselling, or her worker will have to contact the Criminal Injuries Board, quote the file number and indicate that they want to apply for the funds for counselling. The board will explain the process and forward the appropriate forms. Call 416-326-2900 and a client services representative will provide all necessary information.

** To obtain the award held in trust, contact the accountant of the Ontario Court 416-314-2477 and quote the CICB file number. The representative will explain the process required.

PART 4: BUILDING CLAIMS

PART 4: BUILDING CLAIMS
BUILDING CLAIMS INTRODUCTORY INFORMATION

Goal:

- Obtain the best possible award for eligible youth in Care.

Objectives:

- Tell the story of the incident and injuries of each youth with clarity and coherence
- Present documentation that verifies the story we tell and explains gaps
- Recognize the experiences of CAS youth from a social and victim centred perspective

Activities:

- Identify, organize and summarize documentation
- Build a strong case
- Follow up

Criminal Injuries Compensation Project

Types of Files

- CAS Claims can be understood in 4 basic Types that range from a guaranteed award (we include a copy of the proof of conviction) to those that are extremely tenuous. The four types of Files are,

1. Conviction:

- a) **Proof of Conviction Included:** In these files, the alleged offender was convicted, and we've obtained the necessary proof of conviction from the Courts. These files are guaranteed an award, and all we have to do is supply a chronology of documents that demonstrate the claimants long term injuries.
- b) **Proof of Conviction, Not Found:** When the Courts cannot locate a conviction, the file can be slowed down in terms of processing as the Board will go out of their way to contact the courts. If the proof cannot be found, the Board has relied on the word of a police officer to stand as proof of conviction. In these cases, it is important to work with the Board to locate that proof- Also, when they obtain any documentation about the conviction, be sure to make an FOI request for that proof.

2. No Conviction, but an arrest made:

- As soon as we begin working on a file where there is no conviction, it is up to us at the project to create a strong claim that will convince the Board members that the incident probably did occur.
- When an arrest is made, it generally indicates that the officer felt the alleged offender committed the crime. I
- It is very important to talk to the officer about why the charges didn't 'stick'.
- The officer may make an excellent witness to testify at the hearing. Talk about that with the officer and with your analyst.
- The CAS Recordings are important for these claims, include as much of the following materials as possible, "Intake referral form", "Report of Physical or Sexual Abuse of Children", CAS Abuse Investigation, Report to the Child Abuse Registry (form 1 or letter to alleged offender), and any Family court docs that provide support to the claim.
- A detailed Victim Impact Statement will help a claim of this type

Types of Files, Continued**3. No Conviction, no arrest**

- If the police were involved in a case like this, speaking to the officer about why they didn't press charges is very important. The information that the officer provides to the Board will influence greatly the course of the file assessment.
- If the police were not involved in the incident at all, we must use CAS documentation to show the incident occurred.
- The CAS Recordings are important for these claims, include as much of the following materials as possible, "Intake referral form", "Report of Physical or Sexual Abuse of Children", CAS Abuse Investigation, Report to the Child Abuse Registry (form 1 or letter to alleged offender), and any Family court docs that provide support to the claim.
- A Victim Impact statement and any statements from Witnesses attesting to the incident would help this type of claim

4. No Conviction, No police Involvement, No CAS Investigation

- We tend to see these types of claims in two situations,
 - (a) When abuse was suspected, but never substantiated by CAS
 - (b) When the child did not disclose until adulthood and the incident occurred in childhood
- These claims are the most difficult to establish that a crime of violence did occur as there is no substantive documentation
- In these cases there are several things that become central to the claim,
 - (a) An extremely detailed victim Impact Statement
 - (b) Letters from Friends, family, teachers who can attest to the incident
 - (c) Victim can make a report to the police
 - (d) Using any ongoing psychological assessments, or indicators of trauma to support the idea that the claim is true.
 - (e) Using any family service recordings that, at the time, didn't accumulate to anything, but used in context of the claim, could be construed as making the claim possible.

**PART 4: BUILDING CLAIMS
DOCUMENTATION**

PART 4: BUILDING CLAIMS
OBTAINING DOCUMENTATION

Criminal Injuries Compensation Project

Types of Information

- The board looks for 3 Types of Information in a claim:

1. Secondary Information:

- This is information that does not directly 'prove' the incident and includes recordings by,
 - (a) A third party discussing the incident
 - (b) Information that may show a pattern of behaviour in the alleged offender that would suggest it is likely they committed the crime we are claiming for, or
 - (c) Shows the general context of the claim that makes it seem likely the incident occurred.
- Secondary information is good because it provides context, but doesn't prove the incident occurred.
- It can also work against us in the following way: If we show that the child was subject to all kinds of emotional abuse, neglect, drug use ect (which are things that are not compensable), the Board member may question how much of the injuries were caused by the compensable violence, and how much was caused by the other non-compensable experiences.
- We use several types of Secondary Information in a file including
 - (a) The Social History: Child and Family Histories
 - (b) Any secondary court information
 - (c) Any materials such as psychological assessments, existing criminal record info, or existing records on the Child abuse registry.

2. Primary Information:

- This information is considered proof of incident because the author of the report was a direct witness/participant in the event that constitutes our claim.
- Primary documents we use come from 5 sources:
 - (a) The Courts: the Indictment, Court Transcripts, probation orders ect
 - (b) The Police: PQ info may indicate conviction
 - (c) Witnesses: Can submit a letter attesting to the incident
 - (d) CAS: We use the following Documents:
 - Family Service Recordings of the Incident
 - Intake Referral Form
 - Report of Physical or Sexual Abuse of Children form
 - Abuse Investigation Summary
 - Report to the Child Abuse register
 - If the child was brought into Care as a result of the incident, we can also use, Family court information such as Sworn Affidavits, Agreed to Statements of fact, Plan of Service, or Statements from the judge (if applicable)
 - (e) Medical/Psychological: If a medical exam was done or the child was enrolled in Crisis counselling, it is very important to obtain those documents.

Types of Information continued**3. Information about Long Term Injuries**

- I generally define Long Term Injuries as those recorded over 1 year following the incident.
- We generally include 3 types of support for long term injuries:
 - (a) **Psychological:** CAS youth tend to have an ongoing chronology of psychological assessments. This is good for the Board, as they like to be able to 'trace' the claimant's injuries over the years to determine their understanding of the long-term injuries. It is a good idea to include, if possible, an assessment done each year or two.
 - (b) **Medical:** If the person shows physical symptoms commonly related to trauma (ie, survivors of sodomy may have difficulties with bowel movements, survivors of sexual assault may bed wet, or have body image issues ect.) It is important to trace these symptoms also.
 - (c) **Behavioural:** These day to day traumatic symptoms and coping mechanisms can often be seen in recordings from the youth's placement or in the most recent CAS plan of Care.

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

Types of CAS Files

Children's service file (aka: C/S File): the file that the child's long term care social worker keeps after the child is made a crown ward. Contains mostly current information and information accumulated since involvement with CAS. This file is good for finding information to complete the 'Victim information' section of the application form, for providing documentation about the long-term effects of the injuries and for providing the board with a general overview of the child's story (ie, the social history). You may also find leads for missing information in the recordings.

Family Service File (aka: F/S File): Kept in the Records department (x 2015) under the mother's last name. This file contains all of the recordings of events before the child became a crown ward. This file contains all of the primary information about many of the incidents we are claiming for. You may also find important leads for critical information that is not filed with CAS. These primary documents/statements are the most important information for the CICB. To obtain a family service file, call records and ask them to send you the complete family service file, including court information.

Court File: Contains all Family service court materials. The most useful information in this file is the affidavits, the protection application information, the agreed to statement of facts, and the judges statements. This is mostly useful when the incident we are claiming for is the reason why the child came into care.

Foster File: This type of file is used when an incident occurs in a foster home, by a foster family. If you need a file of this type, be sure to contact Terry Warren a foster support worker at extension 3530.

Adoption File: If an adoption breaks down as a result of an incident of violence to a Ward, the information will be on this file and the ward will be more than likely, a Crown Ward again.

PART 1: Identify, organize and summarize documentation**Family Service File (F/S File)****a) Family Service Recordings:**

- What is the story leading up to the incident?
- Who are the key players involved?
- Is there any contact information for the key players?
- What was the alleged offender's story?
- What is the children's, social worker, police's understanding of the story?
- What are the critical dates?
- What is the story following the incident?

b) Abuse Report forms

- Report of physical or sexual abuse of children form
- Risk Assessment Tool info
- Abuse Investigation/ Abuse Committee findings
- Form 1 / Record of Report to Child Abuse Register
- Medical exams at the time Did they go to SCAN? Family dr? get dates, contact info

c) Treatment and Ensuing Legal Info

- Did the matter go to Family Court?
- Affidavits that attest to the incident
- Agreed to Statement of Facts that include the incident we are claiming for
- Protection application where CAS indicates child was physically or sexually abused
- Copy of Crown Ward Order and if possible Judge's statements if relevant.

Children Service File (C/S File)**a) Documenting long-term injuries and day to day symptoms**

- Initial assessments and termination summaries from mental health practitioners (section 8)
- Outside resource recordings and plans of care (section 7)
- Victim statements, letters to alleged offender (section 5, 12 or 17)
- Most recent CAS plan of Care (section 3)
- Any relevant serious occurrence reports (section 14) medical info from CAS clinic (section 9), school reports (section 10)
- Child and Family Social history (section 2)
- Any legal documentation that might be relevant (check section 11)
- Case notes if the incident occurred when the youth was already in LTC

b) Locating necessary information to complete the CICB application Forms

- (section 1) to find DOB & SIN#, current placement and placement history.
- OHIP#, If you can't find look in (section 9)
- Identifying current placement, current therapist

PART 4: BUILDING CLAIMS
DEMARKING DOCUMENTATION

Criminal Injuries Compensation Project

Demarking Recordings for Readability

- When you've copied all of the documentation from the F/S, court and C/S files you need to demark the recordings with the following:
 - (a) Place the entire stack of recordings in chronological order, with the oldest date on top
 - (b) Read through all of the recordings, make sure the story is all there, identify any parts that are missing, and decide on which information is expendable to the claim (may be good for information or leads only)
 - (c) Highlight all of the relevant paragraphs, and write why it is relevant to the side of the paragraph
 - (d) On the first page of the report, place the Date of the Report in large letters on the top right hand corner of the page, and below that, indicate why the report is relevant.
 - (e) Make notes for the Social Worker's letter using the template, and begin thinking about where each report will fit in the File sections.

PART 4: BUILDING CLAIMS
SOCIAL WORKER'S LETTER

BUILDING AN ARGUMENT

- (II) Once you can see the information you have or don't have based on the information above, you will be able to identify the areas of the claim that are stronger and weaker. We do further investigation and research to obtain proof for weaker claims.

1) **Drafting a cover letter-** every file has one of these and it is our primary vehicle for summing up all of the available information and perspectives on the incident, and packaging them into a convincing argument.

- (a) The context in which the incident occurred,
- (b) A detailed statement of the allegations including names, dates, locations and severity
- (c) Details of the police info/non-info including names, badge numbers, occurrence numbers, dates and division numbers
- (d) Be sure to account for the perspectives of CAS, the police, the child and their placement caregivers. Watch for info that challenges our version of events and be sure to contextualize info or discuss it with the project coordinator.
- (e) A description of short/long term injuries including references to treatment obtained
- (f) " of how these experiences affect the young person's daily life/challenges they will face

2) **Draft a Police Information Letter if Necessary**

If there are multiple offenders on one file number or claim or if there are many incident reported to the police, it is important that you make a separate letter for the Claims Support Unit that gives the following details (You will have to contact each investigating officer for the information)

- a) Name of police Service
- b) Name of officers, badge#'s and current assignment location
- c) Occurrence Number
- d) Was there a conviction?
- e) What did the officer say about the case?

3) **Arranging File Contents**

Download file sections by clicking on folders:

- a) Project Info
- b) Project Documents
- c) Once you are in Project documents click on the file called FILE SECTIONS.doc

You may not use all of the file sections, but use as many sections as possible as it will ensure that the material is as comprehensive as possible. The file sections describe which information goes where. If any are unclear, the project coordinator is available for questions.

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

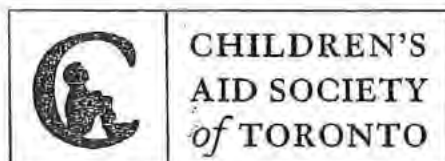
Cover Letter

- Compensation is awarded primarily for pain and suffering around the after affects of abuse. Emphasis should focus on identifying and supporting current symptomology to the incident we are claiming for.
- Pain and suffering includes the emotional and physical effects and the fears and anxieties experienced by a child. Some examples include bed-wetting, nightmares, inappropriate sexual behaviour for a particular age, lack of social skills, disruptive behaviour, criminal behaviour and self-mutilation etc.
- Request stipulations pertaining to the child's age, which you or the Worker feel would be beneficial to the child. A common example is the request to hold an award of money in trust for a child until the age of 21.
- Identify other sibling's abuse and include their file # if this applicable
- If more than one application is used for a child due to the involvement of different perpetrators, a common cover letter may be used (if applicable). Any necessary revisions can be made to present a more accurate portrayal

Format

1. Acknowledge if the child is a Crown Ward and the date this occurred.
Include home and family history.
2. Describe the abuse suffered.
3. Identify the impact of the abuse (effects) and the pain and suffering.
4. Outline any current and relevant information (both positive & negative)
5. Conclusion
Include how compensation would be beneficial to this child.
Education and therapy are often the focus for many youth.
The recognition of abuse is also very important in the growth of some.

BE SURE TO HAVE THE SOCIAL WORKER APPROVE AND SIGN THE DOCUMENT. NOTE THE NAME OF THE SOCIAL WORKER IN THE TREATMENT SECTION OF THE CLAIMS PACKAGE.



May 9, 2001

The Criminal Injuries Compensation Board
439 University Ave, 4th Floor
Toronto, On M5G 1Y8
Re File No.: 0102 - 25026

To whom it may concern:

This statement provides a history and current status of Jane Doe as it pertains to her claim for being sexually assaulted in her childhood home.

(social History synopsis & Description of Abuse)

Jane was born to [REDACTED] on July 30, 1983. Having never lived alone with her natural mother, she was co-raised by her maternal grandmother [REDACTED] and her aunt [REDACTED]. The initial years of her life were spent in chaotic and miserable conditions. She was exposed to physical violence in the home and was surrounded by individuals who were in conflict with the law. Many of the relatives in this home were also alcoholics. She was apprehended in October of 1991 due to suspicions that she was being abused.

The Doe family has a twenty-five year involvement with the CAS that spans three generations. Each generation of this family has been exposed to physical and sexual domestic violence. Each of the Doe females have testified to being sexually abused by males in the family. For example,

1. [REDACTED] was sexually assaulted by her father and brothers at the age of seventeen.
2. [REDACTED] was sexually abused by her brother [REDACTED] for several years in the home.

Please see related file 9701-03771, [REDACTED] Doe for further information. [REDACTED] was awarded in May 2000 for her experiences. These claims do not prove beyond a shadow of a doubt, as would be expected in a regular court of law, but they do however point to a "probable" occurrence.

In addition to the sexual abuse, Jane also experienced physical abuse perpetrated by several family members. Those alleged to have assaulted Jane include, [REDACTED], [REDACTED], [REDACTED] and [REDACTED]. In August of 1991, [REDACTED] a family support worker was informed by Jane's mother that her daughter had been kicked and punched by [REDACTED].

Jane was reluctant to disclose to the worker about the incidents, as she felt deeply threatened by the potential violence she would face as a repercussion of doing so. Moreover, in a status review application for Crown Wardship, it is reported that Jane's grandmother used physical violence as discipline. This violence included use of "sticks, bats, whips and belts," during beatings and at times she was made to stand on the porch in the winter wearing only her pyjamas.

On November 23, 1999, Jane was assaulted by [REDACTED] who threw a steel hammer at her leg during an altercation. This assault was reported to the police and the CAS Medical Clinic doctor examined Jane the following day. The report is included in this package.

(Description of Effects of Abuse on victim)

Essentially, this case is about a young woman who has witnessed and lived through a great deal of violence in her young life. An assessment made on March 14, 1997 by Dr [REDACTED] he states,

"Jane shows signs of continuing to experience some trauma related to the sexual abuse she experienced at an earlier age. She is extremely uncomfortable with sexual feelings and the onset of adolescence has contributed to a strong regressive trend and desire to move away from feelings related to her own sexuality."

A later assessment by another child psychologist, [REDACTED] indicates,

"On January 11, I informed Jane that I will have to go to Court on her behalf and that I need to hear from her what she wishes were concerning her further. Jane, with only one exception some months ago when she got in trouble at the foster home, said that she wanted to live with Jamie (her foster mother). When I asked her why she did not want to live with her grandmother she answered, 'I don't want to have bad things happen again...' When I asked her what she meant by 'bad things,' she said 'You know, being abused. We were all abused.'"

In summary, the years of being a victim of physical and sexual assaults by members noted in this claim, Jane feels so intimidated by others that she has very limited sense of boundaries. She finds it difficult to assert and therefore protect herself from further violence from others. Because of these experiences, Jane is reticent to talk about the violence in her past, making it more likely that her present will continue the patterns formed within her family home. She will shut down if asked about her experiences because at this point, she feels it is easier "when she doesn't have to think about her past." This survival technique is common for adolescent children who have experienced violence in their childhoods.

(Needs for the Future)

In light of her experiences with physical and sexual assault, Jane's future will present some immense challenges as she grows toward independent living. She will require both financial and emotional support to overcome the issues that relate to her limited self esteem that stem from being the victim of violence. As she makes the transition to adulthood, she may need to confront some of the patterns of denial and repression that mark her coping mechanisms now, in order to function independently.

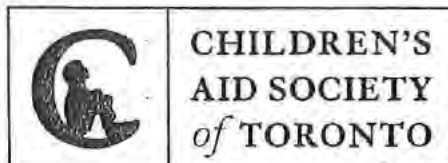
Although the Board cannot compensate for 'bad parenting,' or alleged incidents perpetrated on other members of the family, the information on this file is designed to create a reasonable 'balance that would clearly indicate that it is highly 'probable' that Jane experienced the violence noted on the enclosed materials. The documentation in this package highlights the behavioural consequences that commonly appear following

incidents of physical and sexual violence in young people and that can reasonably be tied to the incidents we are claiming for.

Please note that her sister, [REDACTED] was awarded in May of 2000. Her file may provide further support to this claim.

Yours truly,

(Name of Social worker)
Child Services Worker
Long Term Care



December 12, 2002

The Criminal Injuries Compensation Board
439 University Avenue, 4th Floor
Toronto, Ontario
M5G 1Y8
Re File No.:

Dear CICB Board member(s),

This letter is to provide documentary support to the allegations of this claim along with support for **insert victim's name's** claim to short and long term injuries as a result of being **physically or sexually assaulted (choose one)** by **his/her: biological mother/biological father/mother's boyfriend/family friend/relative/stranger/foster family member (choose the relationship of the alleged offender to victim)**, **Insert Alleged Offenders Name here.**

Paragraph #1- situation

- *provide one sentence summing up child's life experience leading up to the disclosure.*
- *Provide one sentence indicating how the incident became known to others*
- *Provide one sentence describing how the information was dealt with by the adult who received the news- did they tell CAS immediately?*

Paragraph #2- Disclosure

- *Describe the details of the disclosure- what was the date it was made? What was disclosed (answer who what where when why and how)? Were there more than one disclosure? Was more information disclosed each time?*
- *Were there any witnesses? Who were they? Are they still in contact with the victim? Are they willing to provide a letter of support by attesting to the incident?*

Paragraph #3 Investigation following disclosure

- *What did CAS do? What documentation do we have for this? Was there a full CAS investigation? Do we have the documents? Was the abuse verified? How was it verified?*
- *Were the police contacted? When? By whom? Names of police officers? Date of interview? Occurrence number? Was the alleged offender convicted? When? Where? What are the details of the conviction? Which court was the trial at? What were the dates of the trial? Do we have a copy of the outcome? Probation Order?*
- *Was the incident reported to the Child Abuse Registry? Do we have copies of the letters to the abuse register?*
- *Did the matter go to court? Did the child have to testify? What was that like for them?*

Paragraph #4 Medical information at the time of the incident

- *Was the child examined by a family doctor? At the hospital? Which doctor/hospital? What was the date of the visit? What were the details of the examination? Did they confirm the abuse?*
- *Was treatment recommended for the child? What kind of treatment? Why was this treatment recommended? Who recommended it?*
- *Was the child seen by a psychologist/counsellor/group therapy/psychiatrist within the first year following the disclosure? What was their impression/assessment/diagnosis? Did they link the impression/diagnosis directly to the incident?*
- *What was the family's reaction to this process? Did they support the child? Did they deny the incident? How did the child feel about all of this?*

Paragraph #5 Coming into care

- *When was the child brought into Care? Was it related to the incident we are claiming for? How is it related? Did we include court documents to support this?*
- *How did the child feel about coming into care? How did they react to the process? Were any of their injuries an obstacle to developing ties with their new family? What were some of the issues noted by the worker or the foster parent? Where were these issues noted in the file reports?*

Paragraph #6,7 & 8 (use as many paragraphs as you need to answer the following questions) Long-Term Injuries

- *What were the first signs that the child had emotional/psychological injuries? What day to day issues arose? Did the child have difficulty bonding? Were there any self-esteem issues? What were they? Provide two examples showing the early examples of injuries and explain how they are directly related to the injury.*
- *Who assessed the child over the years? What did they say about the victim? What kinds of behaviours became apparent?*
- *What did the outside placements say about the child? Who said what? Common behaviour? Maladaptive or destructive habits?*
- *Has the child expressed anything about how they relate to others? Difficulties? Issues?*
- *What was the social worker's impression of the long term injuries? Issues the child faces on a day to day basis?*

Paragraph 9 long term needs

- *provide some detail about the child's strengths, wishes for the future and capacity to reach these goals. Are they realistic? What supports will they need to reach their goals?*
- *What kind of supports will they need as they move to adulthood?*
- *Indicate that they would benefit greatly by having access to funds for counselling into adulthood as the CAS will no longer provide such services following their 21st birthday.*

Also indicate how an award for pain and suffering will both vindicate this person's experiences, but it will also provide a financial support when they are no longer in Care.

I thank you for reviewing this claim and feel strongly that he/she be considered for compensation for living through terrible experiences with violence. If you require any additional information, please contact me at (416) 924-4640, extension **place social worker's extension number here.**

Yours truly,

Place social worker's name here

Children's Service Worker

Long-Term Care

PART 4: BUILDING CLAIMS
VICTIM IMPACT STATEMENT

CRITERIA FOR PREPARING A VICTIM IMPACT STATEMENT

The Offender

- How well did you know him/her?
- How did you feel about them before the abuse?
- Do you remember where you saw them?
- How do you feel about them now?

Time of the Abuse

- What were your thoughts? How did you feel?
- Do you remember how old you were, where you lived or went to school at the time?
- How often did the abuse occur & the nature of the abuse
- How did it effect your relationships with family and friends?
- How did you deal with the knowledge of your abuse?

Time of disclosure

- How did you feel when you told someone?
- How many people did you have to tell?
- What was it like discussing it with others?
- Do you remember any critical incidents?
- What kind of treatment did you receive? How was it useful & how was it not useful?
- What could have made this easier for you?

Daily Life

- What is life like now compared to before the abuse?
- Any changes in sleeping, eating, moods, hobbies or routines?
- Any worries – triggers to memories?
- What kinds of feelings surface when you deal with this?
- Changes to your self image? Areas of confusion?
- The lessons you've taken with you? (good and bad)

Friends, School & Family

- Any changes? Are you as close to them as you'd like?
- How has the abuse changed the way you interact with them? In what ways?
- Do you ever discuss the abuse with them? How did it go? What did you learn?
- Did the abuse effect your performance in any aspect of school? What areas?

Counselling

- Do you go to counselling? How is it/was it?
- What could have improved your counselling experience?
- Feelings about your particular experience of counselling.
- What are the emotional issues that you would like to overcome as a result of the abuse?
- What makes it hard to resolve these issues?

Court

- How was the waiting time, preparation and meetings?
- What could have improved the experience?
- Did going to court make you feel better about the whole experience? In what ways, in what ways did it not make you feel better? What was testifying like?

Future

- How do you envision your future?
- Worries? Fears? What impact has the abuse had?

Clinical Issues with Victim Impact Statements

These statements can be incredibly challenging for young people because in doing them, they are in effect recalling the most minute details of their abuse. Its very important to find out what they want to get out of this process. What kind of changes would they like to see? What is their ideal life? Do they believe that their experiences with violence are stopping them from achieving the life they want? Are they ready to look at many possible ways of proceeding toward their goals?

If they are ready for new ideas and strategies, its important to make sure that they have the support they need to explore the options. Thus, in writing their statement, many individuals require a great deal of support because the toxic feelings begin to stir. The person may experience serious emotional ups and downs. It is critical that they know that their reactions are normal and that by allowing these toxic memories to surface, that they are allowing a process of healing.

They need to be encouraged to discuss the kinds of feelings and memories that come up. In many cases the first reaction may be to close off or step away. It is crucial for them to understand why they want to suppress these memories and experiences. Encourage them to explore their reasons for putting up walls or desire to push the issue away. Find out what purpose the behaviour serves and if blocking it out has resulted in their happiness. If it hasn't, then ask them if they believe that there may be other ways of dealing with the issue might be worth a try.

If they are ready, they may begin to open up. Depending on the intensity of their feelings, perceptions and memories, they may need to be referred to a specialist. However, if they choose to speak with you, its important to take things slowly. Deal with what comes up from their reflections of the abuse and let them explore the way it affected them. How did it feel? How do they look at the situation now? How did it affect their life? Why did they react the way they did? In what ways did that strategy work for them? In what ways did it not work? New possible strategy? Let them take a single new strategy with them until the next time you meet. The next time you meet, reflect on how things went with the new piece and work on fine tuning it.

It is important to keep the 'thread' going with your client. You can bring up the issue by setting aside some time each time you meet to discuss CICB and the status of the claim. These are just some very basic ideas. If you need more information about talking to survivors of violence, please feel free to contact me.

**PART 4: BUILDING CLAIMS
DOCUMENTATION REVIEW**

SUPPORTING DOCUMENTATION

a) Proof of Incident: (You should try to get AT LEAST 3 items)

- 1) Statements from Witnesses (family, friends, teachers, social workers ect)
- 2) CAS Abuse Investigations (usually in Family Service (F/S) File)
- 3) Letters Re: alleged offenders name was placed on Child Abuse Register
- 4) CAS F/S Recordings at the Time of Incident (Family Service file)
- 5) CAS Family Court Affidavits
- 6) Police Investigations in formation; letter from police officer (You'll have to find out who the officers were, if they are still at the service and if they remember your case, if not, just get an occurrence number)
- 7) **A copy of 'Reasons for Judgement', 'An indictment' or 'Probation Order'** if the person was convicted for your incident.
- 8) Victim Impact Statement (Information package included)

b) Proof Of Injury (2 Types)

1) Proof of Injuries You sustained at the time of the Incident

- Did you have an exam by a family doctor or at SCAN?
- Did you have a psychological assessment at the time?

2) Proof of Long-Term Injuries

- Ongoing visits to the Doctor for symptoms resulting from the incident?
- Psychological Reports
- Intake Assessments & Termination Summaries from each Placement you've been in.
- CAS/Outside Resource/School reports that document the 'behavioural consequences' you have as a result of the incident.

YOUR JOB IS TO RE-TELL YOUR STORY BY OBTAINING DOCUMENTS THAT PROVE IT!

* You need to make the story clear and easy to understand. Be sure you can explain any 'gaps' in your story. **Collect all of your materials and place them in chronological order placing the earliest dated document at the front, and the most recent information at the back.**

* You will have to do a lot of investigation, follow-up and wade through a lot of bureaucratic red tape to obtain the necessary documents.

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

Documentation Checklist

- Face sheet that shows the Info that should be included in the file/cover letter
- Face sheet that is blank, that needs to be filled out

CRIMINAL INJURIES PROJECT
CLAIM INFORMATION FACE SHEET

CICB FILE NO.:

CLAIMANT:

INCIDENT#: _____	Associated FACTS	Name/ Date on Report(s)	Author of Report	Contact Info	Report Included (date)
Type of Incident (choose one)	<ul style="list-style-type: none"> • Physical • Sexual • Witness violence • Other (indicate offence) 	<ul style="list-style-type: none"> • MCSS Incident of physical or sexual violence against children report • CAS Investigation materials • F/S recordings • Abuse registry • Wardship info 			
Alleged Offender	<ul style="list-style-type: none"> • Name • DOB • History of violence? • Address 				
Date of Incident		indicate the reports on which you located the date			
Address of Incident		Indicate the reports on which you located the address			
POLICE INFO	<ul style="list-style-type: none"> • Name of Service • Date of contact • Occurrence number • Investigating officer and badge number • Was there a conviction for this incident? 				
Conviction	<ul style="list-style-type: none"> • where was the trial? • When was it? • Outcome? 				
Witnesses	<ul style="list-style-type: none"> • who are the witness? • List of CAS affidavits attesting to the incident 				

INCIDENT#: _____	Associated FACTS	Name/ Date of Report(s)	Author of Report	Contact Info	Report Included (date)
<u>MEDICAL</u>					
Medical or Psychiatric Exam At time of Incident (within 1 year of incident)	<ul style="list-style-type: none"> • name of practitioner • name of hospital • date of visit 				
Medical or psychiatric Assessments <u>Long Term Injuries</u>					
CAS recordings exemplifying Long-Term Injuries					
Outside Resource reports exemplifying Long-Term Injuries	* Name of resource * name of report				
Victim Impact Statement					

Before You Submit this file:

- | | | | | |
|---|---------------|--------------------------|-----------------|--------------------------|
| * File organization type (choose one method): | Chronological | <input type="checkbox"/> | Incident/Injury | <input type="checkbox"/> |
| * Mirror Duplicate made for Project Records? | Yes | <input type="checkbox"/> | | |
| * All supporting Documents obtained and recorded? | Yes | <input type="checkbox"/> | | |
| * Hearing Summary Completed? | Yes | <input type="checkbox"/> | | |
| * Child's follow up sheet Started? | Yes | <input type="checkbox"/> | | |

CRIMINAL INJURIES PROJECT
CLAIM INFORMATION FACE SHEETCICB FILE NO.:
CLAIMANT:

INCIDENT#: _____	Associated FACTS	Name and Date on Report(s)	Author of Report	Contact Info	Status of Report
Type of Incident					
Alleged Offender					
Date of Incident					
Address of Incident					
POLICE INFO					
Conviction					
Witnesses					

INCIDENT#: _____	Associated FACTS	Name and Date of Report(s)	Author of Report	Contact Info	Status of Report
<u>MEDICAL</u>					
Medical or Psychiatric Exam <u>At time of Incident</u> (within 1 year of incident)					
Medical or psychiatric Assessments <u>Long Term</u> Injuries					
CAS recordings exemplifying Long-Term Injuries					
Outside Resource reports exemplifying Long-Term Injuries					
Victim Impact Statement					

Name of claimant:
DOB of claimant:
CICB File No.:
Worker:

To Do:**Victim Impact Statement:****Police Info:****Proof of Conviction:**

Alleged offender info: Attempt to contact [REDACTED] for the CAS documentation she was handed before conducting the psychiatric assessment on [REDACTED] in September/October 1990.

Pending (in File)

Cover Letter : Signed and ready to go

Documentation: Organized and ready to go

Application: signed and ready to go

Form 14/Releases: None Required

Medical Info: Normaine has refused any treatment. Therefore Susan Smith's letter will have to stand as current therapy.

June 10, 2003: Left message with police (808-5555). Officer X called back to say that he remembers incident and to call back on Friday.

June 15, 2003: Rec'd message from claimant, she is completing Victim Impact statement. Called officer and got occurrence number and details of court info. Faxed request to Old City Hall courts (416-325-5555) for copy of Indictment

PART 4: BUILDING CLAIMS
FILE ORGANIZATION

PART 4: BUILDING CLAIMS
ORGANIZING SUBMISSION PACKAGES

PART 4: BUILDING CLAIMS
AUTHORIZATION FORMS

CRIMINAL INJURIES COMPENSATION PROJECT
CHILDREN'S AID SOCIETY- TORONTO

Authorization

There are four types of authorization we utilize at this project; examples of each are included:

1) Authorization from youth:

- Any time we use documents that were written about one of our clients, we need to get their permission to do so.
- General consent: Youth over the age of 12 should sign a CAS release that authorizes us to complete the claim on their behalf.

2) Form 14

- We use a Provincial Ministry of Health, Form 14
- Youth under the age of 16 must have legal guardian's signature;
- Youth over the age of 16 must sign all Form 14's to release reports.
- We also use Form 14's when we request Hospital reports
- F 14's are valid for 6 months past the date noted on the form

3) Obtaining Outside Agency Authorization

- We need permission to use psychological reports created outside of CAS.
- Contact the agency, explain process and fax both OAA Form & F14
- Follow up weekly to get them to return the "Outside Agency Authorization" with a signature from someone in the agency.
- You cannot use the document until you have faxed back indicating their release of the information.
- The OAA Form is in Microsoft Word Folder, 'Project Templates'

4) Authorization of Applications to CICB

- **For individuals over the age of 19:** They must file their claim within one year of the date of the incident. In the case that they miss this deadline, they will have to make a request to extend the one-year time limitation. This process can be quite time consuming. This applies as of the person's 19th birthday.
- **For individuals under the age of 19:** For children, the Board waives the Extension requirement. All claims filed for youth under 19 are automatically "Regular" files.

CRIMINAL INJURIES COMPENSATION PROJECT

Authorization Forms

Types of Authorization Forms include,

- a) **CAS Child's Release of Information:** this Form needs to be signed by youth who are over the age of 12 to release information.
- b) **Form 14:** This is the form used to obtain permission to release medical/psychological information from the originating agency to another. If the young person is over the age of 16, they must sign the form, under 16, the worker can sign.
- c) **Outside Agency Authorization:** This is the Form letter that provides information about our request to the agency that we are attempting to obtain permission to use their report from and serves as our record that we got permission to use the report. I.e, the group needs to sign the authorization and fax it back to us for the file.

THE CHILDREN'S AID SOCIETY OF THE
MUNICIPALITY OF METROPOLITAN TORONTO
CONSENT TO DISCLOSURE OF INFORMATION

I, _____ of
Name of Parent/Guardian or (Child over 12 years).

_____ hereby consent to the
Address

Disclosure of Information compiled by _____
Name of Agency/Person

pertaining to _____
Name of Adult/Child

The records shall be disclosed to 1) _____
(continue on reverse if necessary) 2) _____
3) _____
4) _____
5) _____
Name of Agency/Person

for the purpose of _____
Reason for Disclosure

The information/records that shall be disclosed will include the
following : (continue on reverse if necessary)

1. _____	4. _____
2. _____	5. _____
3. _____	6. _____

This consent shall remain in effect from _____
Date
to _____
Date

My signature means that :

1. I have read this authorization or have had this authorization read to me. I understand and agreed to its contents.
2. I have been informed that no other information may be released without my written consent (with certain exceptions).
3. I have been informed that I may revoke this authorization by written statement at any time.

Signature Witness

Dated at _____ this _____ day of _____ 19 ____.



Ministry
of
Health

Form 14
Mental Health Act

Consent to the Disclosure, Transmittal or
Examination of a Clinical Record under
Subsection 35(3) of the Act

I, _____
(print full name of person)
of C/O 33 Charles Street East, Toronto, Ontario, M4Y 1R9
(address)
hereby consent to the disclosure or transmittal to or the examination by CAS & The Criminal Injuries Board
(print name)
of the clinical record compiled in _____
(name of psychiatric facility)
in respect of Myself,
(name of patient) (date of birth, where available)

(witness)

(signature)

(if other than the patient, state relationship to the patient)

Date _____
(day / month / year)

This has replaced
been replaced by
Consent to
Disclose

(Disponible en version française)

**Consent to Disclose Personal Health Information
Pursuant to the Personal Health Information Protection Act, 2004 (PHIPA)**

I, _____, authorize _____
(Print your name) (Print name of health information custodian)

to disclose

☐ my personal health information consisting of:

(Describe the personal health information to be disclosed)

or

☐ the personal health information of _____
(Name of person for whom you are the substitute decision-maker*)

consisting of: _____

(Describe the personal health information to be disclosed)

to _____
(Print name and address of person requiring the information)

I understand the purpose for disclosing this personal health information to the person noted above. I understand that I can refuse to sign this consent form.

My Name: _____ **Address:** _____

Home Tel.: _____ **Work Tel.:** _____

Signature: _____ **Date:** _____

Witness Name: _____ **Address:** _____

Home Tel.: _____ **Work Tel.:** _____

Signature: _____ **Date:** _____

***Please note: A substitute decision-maker is a person authorized under PHIPA to consent, on behalf of an individual, to disclose personal health information about the individual.**

PART 4: BUILDING CLAIMS
OBTAINING OUTSIDE AGENCY AUTHORIZATION

**Sample Claims Package
(aka-Application forms)**

DO NOT PHOTOCOPY THIS FOR SUBMISSION

- This section contains details on how to present your claims package
- You will also find information on what information goes in which organizational section, why and where to find it.

CRIMINAL INJURIES COMPENSATION PROJECT

APPLICATION COMPLETION REQUIREMENTS

1. All Victim info requested on page 1
2. Alleged Offender info: All known. If stranger, state "stranger" in the space
3. Particulars of the Incident: Date of incident & City of Incident
4. Details of Incident and Injury: Provide a brief description in each box
5. **Police Investigation:**
 - a) Name of Police service and Division
 - b) Officer's name and Badge Number
 - c) Date of Police Contact (Year and month minimum)
 - d) Occurrence Number
6. You must **sign and date EVERY page** of the package, whether or not you indicate any information on a page.
7. You must identify at least one therapist or visit to a doctor on the **treatment form** (*If you are doing an Extension Request, you won't have a Treatment Form so don't worry about it)

* Before you submit your claims package, call 416-326-2900 and go over what you've written with a Client Services Representative at the Board to make sure its all done correctly.

SUPPORTING DOCUMENTATION

a) Proof of Incident: (You should try to get AT LEAST 3 items)

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Criminal Injuries Compensation Board
439 University Avenue, 4th Floor
Toronto, Ontario M5G 1Y8
Toll Free: 1-800-372-7463
Tel: (416) 326-2900 Fax: (416) 326-2883

2026

Covering Letter

CHILDREN'S AID SOCIETY

C/O CRIM. INJ. PROJECT, 33 CHARLES ST. W
TORONTO ON M4Y 2R4

File Number

VOID

Victim Information

Last Name:		Given Name:	
Other Name:		Maiden Name:	
Address:		Apt/Suite:	
City:	Prov/State: ON	Postal/Zip Code:	Country: CANADA
Birthdate (yy.mm.dd):	Sex:	SIN/SSC:	Health Card #:
Date of injury (yy.mm.dd): 1999.06.29	City where injury occurred: TORONTO		

Further to your request, enclosed are the following forms:

- Primary Information Form
- Treatment Form
- Expenses Form
- Benefits Form
- Authorization for Release of Information Form

Please complete and return the forms noted above. Keep this letter for your records.

The Board will not process faxed or photocopied applications.

If you have any questions, please contact the Client Services Unit at (416) 326-2900 or 1-800-372-7463.

Tina-Louise Trepanier

Tina-Louise Trepanier
Client Services Representative

April 27, 2001



Criminal Injuries Compensation Board
439 University Avenue, 4th Floor
Toronto, Ontario M5G 1Y8
Toll Free: 1-800-372-7463
Tel: (416) 326-2900 Fax: (416) 326-2883



2027

J7/999999/APF*

VOID

Primary Information

PLEASE REFER TO THE "Guidelines for the Public" WHEN COMPLETING THIS FORM.

The personal information on this form is collected under the authority of the Compensation for Victims of Crime Act, R.S.O. 1990, Chapter C.24 as amended. The principal purpose for which this information will be used is to make a determination of eligibility for an amount of compensation.

Please be advised that any information submitted to the Board is subject to both the "Freedom of Information and Protection of Privacy Act" and the Statutory Powers Procedure Act.

Please complete the following information: (Please PRINT Clearly.)

01	Type of injury: (please check one)				
	<input type="checkbox"/> Assault	<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Injury causing death	<input type="checkbox"/> Nervous Shock	
02	Victim Information				
a	Has the victim previously applied to the Criminal Injuries Compensation Board?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
	If Yes, when: Year Month Day File # :				
b	Last Name:		Maiden Name:		
	Given Name:		Other Name(s): (including aliases)		
c	Mailing Address (Street # and Name)			Apt #/Suite	
	City	Prov./State	Postal/Zip Code	Country	
d	Telephone: Business () Home ()		e	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	
f	Date of Birth: Year Month Day	g	Social Ins. /Social Sec. #	h	Ontario Health Card #
i	Marital Status: (please check one)				
	<input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Common-Law <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Widowed				
j	Was the victim employed at the time of injury? <input type="checkbox"/> Yes <input type="checkbox"/> No		k	Number of dependants (Death Claim Only):	
l	Did the victim receive any treatment for his/her injuries (e.g. Hospital, Doctor, Therapist, etc.):				
	(Please check one) <input type="checkbox"/> Yes <input type="checkbox"/> No				

05 Details

a Details of the incident. Describe what happened.

If more space is required, use the "Additional Notes" section on page 5 of this form.

"VICTIM WAS PHYSICALLY/SEXUALLY ASSAULTED
BY HER FATHER IN THEIR HOME."

↑
SHORT STATEMENT, INCLUDE DETAILS LIKE
Death threats, ongoing nature, severity

- Also for multiple offenders/incidents
describe, provide dates + city for each

a) ...
b) ...
c) ...

b Details of injury sustained (describe the injuries that the victim sustained).

- emotional/psychological
- diagnosed with ...
- Exhibits x 2 behaviours

09 Legal Representation

a Are you being represented by a lawyer for the purpose of this claim? Yes ☐ No ☒ (please check one)

b If Yes, complete the following:

Lawyer's Name:

Name of Law Firm:

Mailing Address (Street # and Name)

Suite

City

Prov./State

Postal/Zip Code

Country

Telephone: () -

10 How did you hear about the Criminal Injuries Compensation Board? (please check one)

- ☐ Police ☐ Lawyer ☐ Crown Attorney ☐ Friend/Relative ☐ Hospital ☐ Newspaper/Media
☐ Victim Witness Assistance Program ☐ Other (please specify): CAS

11 Declaration of Statement

I hereby certify that the above statements are true to the best of my knowledge and belief, and I undertake to notify the Board of any change in circumstances that may affect the assessment of any compensation.

Signature of Victim or Applicant

Date

Additional Notes:

_____ IS AUTHORIZED TO
 PROCESS & MAKE NECESSARY CHANGES TO
 THIS CLAIM ON BEHALF OF THE
 APPLICANT

Treatment Form:

- 1) Any **critical** medical or psychological information that we did not include in the initial submission, but we knew about
- 2) Any documentation from practitioners who refused to release a report without a request from the Board
- 3) Details of current therapy- if the child is currently in therapy, place the name of the therapist; if they are not, then place the name of the child's social worker on the Treatment form.

**Criminal Injuries Compensation Board**

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2031

7999999/TRF*

V610

Treatment Form

Please complete ALL the information in the sections that apply to you and return this form as soon as possible.

Please Note: Any delay in receiving this form will result in a delay in processing your application.

The personal information on this form is collected under the authority of the Compensation for Victims of Crime Act, R.S.O. 1990, Chapter C.24 as amended. The principal purpose for which this information will be used is to make a determination of eligibility for an amount of compensation.

Please be advised that any information submitted to the Board is subject to both the Freedom of Information and Protection of Privacy Act and the Statutory Powers Procedure Act.

V010

File Number	7
-------------	---

Victim Information			
Last Name:		Given Name:	
Other Name:		Maiden Name:	
Address:		Apt/Suite:	
City:	Prov/State: ON	Postal/Zip Code:	Country: CANADA
Birthdate (yy.mm.dd):	Sex:	SIN/SSC:	Health Card #:
Date of injury (yy.mm.dd): 1999.06.29		City where injury occurred: TORONTO	

Please complete the following information: (Please PRINT Clearly.)

01	Emergency Hospital Treatment			
	Name, Address and City of Hospital:			
	Date:	Year	Month	Day
02	Other Hospital Admittance as a result of this injury			
	Name, Address and City of Hospital:			
	Date:	Year	Month	Day

03	Medical Doctor(s)		Provide information of medical doctors or medical specialists you have seen as a result of this injury. (Space for two (2) doctors is provided.)	
	1	Name:		
		Address:	City:	
		Postal Code:	Telephone: ()	
	2	Name:		
		Address:	City:	
		Postal Code:	Telephone: ()	

Complete reverse side...



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2032

7/999999/EIF*

JO10

Expenses Form (Injury Claim)

Please complete ALL the information in the sections that apply to you and return this form as soon as possible.

Please Note: Any delays in receiving this form will result in a delay in processing your application.

The personal information on this form is collected under the authority of the Compensation for Victims of Crime Act, R.S.O. 1990, Chapter C.24, as amended. The principal purpose for which this information will be used is to make a determination of eligibility for an amount of compensation.

Please be advised that any information submitted to the Board is subject to both the Freedom of Information and Protection of Privacy Act and the Statutory Powers Procedure Act.

File Number

Victim Information

Last Name:		Given Name: RODNEY	
Other Name:		Maiden Name:	
Address:			Apt/Suite:
City:	Prov/State: ON	Postal/Zip Code:	Country: CANADA
Birthdate (yy.mm.dd):	Sex:	SIN/SSC:	Health Card #:
Date of injury (yy.mm.dd): 1999.06.29		City where injury occurred: TORONTO	

Please complete the following information: (Please PRINT Clearly.)

01	EXPENSES INCURRED (Please attach all original receipts to this report.)		
Please refer to the "Guidelines for the Public" for information on Expenses.			
* Indicate in this column with an 'x' if you have attached the original receipts			
	Description	Amount	x
a	Ambulance	\$.	
b	Hospital	\$.	
c	Medical	\$.	
d	Dental	\$.	
e	Physiotherapy	\$.	
f	Prescription Drugs	\$.	
g	Prosthetic Devices (including glasses, hearing aids, crutches, wheelchairs, artificial limbs, etc.)	\$.	
h	Therapy (i.e. psychiatric, counselling, etc.)	\$.	
i	Travel for Treatment (Outside your city of residence only)	No. of km. (roundtrip) \$.	

Complete reverse side...

**Criminal Injuries Compensation Board**

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Toronto, Ontario M5G 1Y8

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Tel: (416) 326-2900 Fax: (416) 326-2883

**2033**

/999999/BEF*

V010

Benefits Form

Please complete ALL the information in the sections that apply to you and return this form as soon as possible.

Please Note: Any delay in receiving this form will result in a delay in processing your application.

The personal information on this form is collected under the authority of the Compensation for Victims of Crime Act, R.S.O. 1990, Chapter C.24 as amended. The principal purpose for which this information will be used is to make a determination of eligibility for an amount of compensation.

Please be advised that any information submitted to the Board is subject to both the Freedom of Information and Protection of Privacy Act and the Statutory Powers Procedure Act.

File Number

Victim Information

Last Name		Given Name	
Other Name		Maiden Name	
Address			Apt/Suite
City	Prov/State: ON	Postal/Zip Code	Country: CANADA
Birthdate (yy.mm.dd)	Sex	SIN/SSC	Health Card #
Date of injury (yy.mm.dd)	City where injury occurred: TORONTO		

Please complete the following information: (Please PRINT Clearly)

01	Benefits Received		
If you have received or expect to receive income from any of the following sources, please provide ALL the requested information:			
	Name, Address and Telephone		Amount
a	Employment Insurance		\$
	Period Covered	yy mm dd	
	From		
	To		
b	Canada Pension Plan		\$
	Period Covered	yy mm dd	
	From		
	To		
c	Workplace Safety and Insurance		\$
	Period Covered	yy mm dd	
	From		
	To		

Complete reverse side...



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2034



77999999/AUF*

VOW

Authorization Form

AUTHORIZATION FOR RELEASE OF INFORMATION

1. I, THE UNDERSIGNED PERSON, hereby consent to and by this authorization or any photocopy thereof, authorize:
 - a) The doctor, dentist, therapist, physiotherapist and other treatment provider that I attended, to furnish the Board at their request with a report as to my injuries and treatment.
 - b) The Police to furnish the Board at their request with a copy of any statement(s).
 - c) The Workplace Safety and Insurance Board, Employment Insurance Commission, Revenue Canada, Canada Pension Plan and/or any other authority from which I may receive payments from Provincial or Federal funds to give the Board information relevant to my application.
 - d) My employer(s), my Union, Revenue Canada and any other authority to give the Board information as to my earnings and other matters relevant to my application.
 - e) Any accident or sickness or life assurance company, or private pension scheme from which I may receive payments to give the Board information relevant to my application.
 - f) The psychiatrist, doctor or any other practitioner at any psychiatric facility, where I may have received treatment or care, to furnish to the Board medical information as the Board may request.
2. I UNDERSTAND that the Board may notify the authorities mentioned above that I have submitted an application and may also inform them of the Board's decision.
3. I UNDERSTAND that any information submitted to the Board is subject to *The Freedom of Information and Protection of Privacy Act* and the *Statutory Powers Procedure Act*.
4. I AGREE to give the Board all necessary assistance with respect to the above-noted matters.

Name of Victim (Please PRINT clearly)

- ONLY IF OVER 18th BIRTHDAY -

Signature of Victim

Date

If you (the Victim) are under 18, you MUST have a parent or guardian complete the information below.

- SOCIAL WORKER -

Name of Applicant (on behalf of Victim) (Please PRINT clearly)

Address of Applicant

Applicant's relationship to Victim

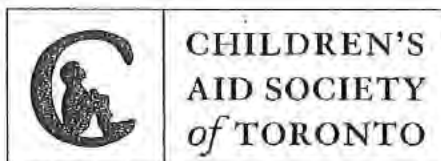
X

Signature of Applicant

X

Date

Please turn over ...



CHILDREN'S
AID SOCIETY
of TORONTO

December 12, 2002

The Criminal Injuries Compensation Board
439 University Avenue, 4th Floor
Toronto, Ontario
M5G 1Y8
Re File No.:

Dear CICB Board member(s),

This letter is to provide documentary support to the allegations of this claim along with support for **insert victim's name's** claim to short and long term injuries as a result of being **physically or sexually assaulted (choose one)** by **his/her: biological mother/biological father/mother's boyfriend/family friend/relative/stranger/foster family member (choose the relationship of the alleged offender to victim)**, **Insert Alleged Offenders Name here.**

Paragraph #1- situation

- *provide one sentence summing up child's life experience leading up to the disclosure.*
- *Provide one sentence indicating how the incident became known to others*
- *Provide one sentence describing how the information was dealt with by the adult who received the news- did they tell CAS immediately?*

Paragraph #2- Disclosure

- *Describe the details of the disclosure- what was the date it was made? What was disclosed (answer who what where when why and how)? Were there more than one disclosure? Was more information disclosed each time?*
- *Were there any witnesses? Who were they? Are they still in contact with the victim? Are they willing to provide a letter of support by attesting to the incident?*

Paragraph #3 Investigation following disclosure

- *What did CAS do? What documentation do we have for this? Was there a full CAS investigation? Do we have the documents? Was the abuse verified? How was it verified?*
- *Were the police contacted? When? By whom? Names of police officers? Date of interview? Occurrence number? Was the alleged offender convicted? When? Where? What are the details of the conviction? Which court was the trial at? What were the dates of the trial? Do we have a copy of the outcome? Probation Order?*
- *Was the incident reported to the Child Abuse Registry? Do we have copies of the letters to the abuse register?*
- *Did the matter go to court? Did the child have to testify? What was that like for them?*

Paragraph #4 Medical information at the time of the incident

- *Was the child examined by a family doctor? At the hospital? Which doctor/hospital? What was the date of the visit? What were the details of the examination? Did they confirm the abuse?*
- *Was treatment recommended for the child? What kind of treatment? Why was this treatment recommended? Who recommended it?*
- *Was the child seen by a psychologist/counsellor/group therapy/psychiatrist within the first year following the disclosure? What was their impression/assessment/diagnosis? Did they link the impression/diagnosis directly to the incident?*
- *What was the family's reaction to this process? Did they support the child? Did they deny the incident? How did the child feel about all of this?*

Paragraph #5 Coming into care

- *When was the child brought into Care? Was it related to the incident we are claiming for? How is it related? Did we include court documents to support this?*
- *How did the child feel about coming into care? How did they react to the process? Were any of their injuries an obstacle to developing ties with their new family? What were some of the issues noted by the worker or the foster parent? Where were these issues noted in the file reports?*

Paragraph #6,7 & 8 (use as many paragraphs as you need to answer the following questions) Long-Term Injuries

- *What were the first signs that the child had emotional/psychological injuries? What day to day issues arose? Did the child have difficulty bonding? Were there any self-esteem issues? What were they? Provide two examples showing the early examples of injuries and explain how they are directly related to the injury.*
- *Who assessed the child over the years? What did they say about the victim? What kinds of behaviours became apparent?*
- *What did the outside placements say about the child? Who said what? Common behaviour? Maladaptive or destructive habits?*
- *Has the child expressed anything about how they relate to others? Difficulties? Issues?*
- *What was the social worker's impression of the long term injuries? Issues the child faces on a day to day basis?*

Paragraph 9 long term needs

- *provide some detail about the child's strengths, wishes for the future and capacity to reach these goals. Are they realistic? What supports will they need to reach their goals?*
- *What kind of supports will they need as they move to adulthood?*
- *Indicate that they would benefit greatly by having access to funds for counselling into adulthood as the CAS will no longer provide such services following their 21st birthday.*

Also indicate how an award for pain and suffering will both vindicate this person's experiences, but it will also provide a financial support when they are no longer in Care.

I thank you for reviewing this claim and feel strongly that he/she be considered for compensation for living through terrible experiences with violence. If you require any additional information, please contact me at (416) 924-4640, extension **place social worker's extension number here**.

Yours truly,

Place social worker's name here

Children's Service Worker

Long-Term Care

PART 1: SECONDARY INFORMATION

Social History

a) Social History

- **Each claim** gets the full social history including the family section and the child section
- **Location:** C/S file, section 2

Court Materials

Secondary Information: Court Materials (usually found in court file)

- If the incident we are claiming for is **other** than the reason the child came into care, then we would include a copy of the Crown Wardship in this section.
- Also, if there are affidavits that speak to the alleged offender (may have been a family friend, or one of the secondary reasons used to show the mother could not protect child)

Alleged offender information

Secondary Information: Alleged offender information

- Any information that would help show that the alleged offender *probably* did commit the offence we are claiming for. Look for reports such as,
 - A) CAS ordered psychological assessments
 - B) Reports of convictions for other offences- family service recordings
 - C) Any Police checks done by CAS
 - D) **Other** incidents that the alleged offender is on the Child Abuse register for.

PART 2: PRIMARY INFORMATION

2. PRIMARY INFORMATION: PROOF OF INCIDENT

(Primary Info page 1/3)

If there are multiple alleged offenders, do a separate section of the below material for each

Also, if there are multiple alleged offenders, incidents and police reports, it is important to complete a letter that summarizes the information for the Board

Family Service Recordings of the Incident

a) **Family Service Recordings of the Incident**

- The board needs clear documentation of what the allegations were, and documents of CAS that prove the incident happened.
- **Location:** Family Service File

**Serious Occurrence Reports
&
Abuse Investigations**

Serious Occurrence Report & Abuse Investigation (usually F/S file)

- Any time a report is made to the CAS, the call and details of incident are recorded in a Serious Occurrence Report
- If the incident was perpetrated by a caregiver, you may also find a 'Report of Physical or Sexual Violence against Children' Form
- Following such a report, Intake conducts an 'Abuse Investigation'. There should be documentation of the investigation and its findings
- Also be sure to take any 'Abuse committee' team meetings, or other documents to do with the Abuse investigation.

Report to Child Abuse Registry

Report to the Child Abuse Register

- If the CAS substantiates/verifies the abuse, and/or the police lay charges, the Family Service or Intake worker is to complete a Form 1 (Report to Child Abuse Register) You need to find this document.
- You may also fax a request to the Child Abuse registry for a copy of the Form 1 along with the letter of correspondence directed to the alleged offender.

Victim Impact Statement

b) Victim Impact Statement

- This statement must be a clear statement of the incident, the allegations, what occurred, how often and how severe. It must also speak to the nature of the injuries sustained and how the long term injuries have effected their lives, relationships and their ability to work etc.
- **You must discuss with the child's worker if it is feasible to get such a statement from a young person at the beginning of the process. If yes, then the worker can begin the process with the young person.**

Statements from Witnesses

d) Statements from witnesses

- You are looking for people who were witness to the incident who can attest to the things you are claiming for. These people can be previous social workers, family service workers, special friends, teachers, guidance counsellors, program coordinators etc...
- **You have to identify these people through your reading of the files, conversations with the social worker ect... then follow leads to locate the individuals.**
- When you find people who can attest to the incident, it is important for them to be as detailed as possible about the event. Many times, they will have difficulty with reconstructing the memories. Don't put words in their mouth, but talk to them about what our records have to help jog their memory. Once you've reconstructed their memory of the incident as best you can, ask them to write a letter about what you discussed. Thank them because they are doing you a huge favour!

Police Information

e) Police Information

- The word of the police carries a huge amount of authority at the board. It is critical to each claim that you find out exactly how the story appeared to the officer.
- **You may find leads in either the Family Service File or the Children's Service file – as you piece together the facts, you can then get in touch with the police at the correct division to find out if the officer remembers the investigation and if they can give you an occurrence number.**
- Like the other witness' sometimes the officer may have difficulty remembering. Most do want to help, so jog their memories by indicating the information we have on file.
- They may also have the occurrence report in front of them, so **find out what information they have – is it the same as ours? Its really important that if you find discrepancies in the information you have to ask around, to figure out what really happened, then let the board know in your letter.**
- Also, its important to **find out if the police was favourable toward the story of the young person?** What happened at the interview to create the impression of the officer? What was the officers' impression of the situation and the stories they were trying to reconcile?
- **Indicate to the officer** that the CICB will be sending a questionnaire and ask him to complete it.
- **Record all of the information you got during the conversation** and indicate in your letter to the board what he said if it was good for our claim. They may call them for the hearing if we let them know that he has more support to add to the claim.

Court Information

b) Court Materials

- You need the information about the Wardship proceedings **IF** it has to do with the incident we are claiming for.
- **Look for:** court orders re protection applications, judges statements, sworn affidavits that refer to the incident, crown ward reviews
- **Location:** F/S File

g) Proof of conviction from the Courts

- If you have a conviction order, a copy of the judges 'Reasons for judgement', a copy of the probation order you have a compensable claim. Note that each of these documents must have the victim's name on them.

Medical Examinations at the time of the Incident

f) Medical Records from the time of the Injury

- Any physical examination completed at the time of the incident is critical because it both helps prove that the incident happened and that the person was injured by the incident.
- Look for SCAN clinic reports from the Hospital for sick kids, CAS medical, Family doctor? Hospital Emergency room?
- **Location:** You may find information on the F/S or C/S files and/or..
- **you may have to identify where an exam was done and do the leg work of trying to locate the documents based on the leads left in the file**

PART 3: LONG TERM INJURIES

Psychological Assessments

a) Psychological Assessments

- The psychological assessments are critical in establishing a claim for pain and suffering. However, the board may question reports that do not speak directly to the incident for which you are claiming. They ask questions like – how do we know that the issues in this report were not caused by other factors? Since that question is almost impossible to answer, we must do our best to locate assessments that speak as directly to the incident as possible and/or link the symptoms to the incident in our social workers letter.
- Be sure to choose different assessments that provide a means of tracking the child's emotional injury over time.
- If possible **use both admission assessments and corresponding discharge summaries if the child is in a facility or underwent ongoing treatment.** Also,
- **Each file** will contain the complete package of assessments done by Dan Fitzgerald. Always provide the most current assessment by him.
- **Location:** Some may be in F/S file, more recent ones will be in C/S file.
- **Look out for references to special treatment (therapy) given to the child at the time of the incident. If there is only a reference made to a particular report on the CAS files, you will have to find ways of finding the report by following leads**

Medical Records

b) Medical Records

- Ongoing medical records can also show the symptoms of long term injury. You can often find reports on depression, suicidal, weight gain, anxiety etc
- **Location:** C/S file (Section 9)

Recordings from Outside Resources

c) Recordings from outside resources

- foster parents report, group home reports, serious incident reports, school
(In C/S file)

Recordings from CAS

d) Recordings from CAS

- Most recent plan of care, serious occurrence/incident reports (**C/S file**)

This is **Exhibit "D"** referred to
in the Affidavit of Bruce Rivers,
sworn on this 10th day of June,
2016.



A Commissioner etc.

Senaylt Belay,
a Commissioner, etc., Province of
Ontario, while a Student-at-Law.
Expires January 14, 2019.

Bruce Rivers

From: Ruth Tansony <r.tansony@torontoccas.org>
Sent: May-03-16 5:51 PM
To: Bruce Rivers
Subject: Policy

CCAS

See below - this is our child in care policy re: Criminal Injuries Compensation.

Ruth



Ruth Tansony
 Manager - Child & Youth Services
 Child & Youth Services
 r.tansony@torontoccas.org | www.torontoccas.org
 Tel: 416-395-1742 | Fax: 416-395-1868
 Catholic Children's Aid Society of Toronto | 1880 Birchmount Road | Toronto | Ontario M1P 2J7
 For the Love of Children

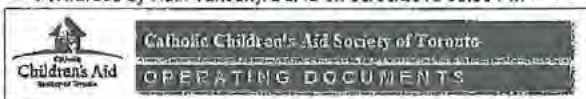


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— Forwarded by Ruth Tansony/CCAS on 03/05/2016 05:50 PM —



CHILD IN CARE

Legislation, CCAS Operational Policy, Procedures: 13:05:05 - Compensation for Injuries or Losses Suffered by a Child in Care

Active

COMPENSATION FOR VICTIMS OF CRIME ACT, R.S.O., 1990

Section 5

Where any person is injured or killed by any act or omission in Ontario of any other person occurring in or resulting from

(a) the commission of a crime of violence constituting an offence against the *Criminal Code* (Canada) including poisoning, arson, criminal negligence and an offence under section 86 of that Act but not including an offence involving the use or operation of a motor vehicle other than assault by means of a motor vehicle;

(b) lawfully arresting or attempting to arrest an offender or suspected offender for an offence against a person other than the applicant or his or her dependant or against such person's property, or assisting a peace officer in executing his or her law enforcement duties; or

(c) preventing or attempting to prevent the commission of an offence or suspected offence against a person other than the applicant or his or her dependant or against such person's property;

the Board, on application therefor, may make an order that it, in its discretion exercised in accordance with this Act, considers proper for the payment of compensation to

(d) the victim;

(e) a person who is responsible for the support of the victim;

(f) where the death of the victim has resulted, the victim's dependants or any of them or the person who was responsible for the support of the victim immediately before his or her death or who has, on behalf of the victim or his or her estate and not being required by law to do so, incurred an expense referred to in clause 7(1)(a) or (e) arising from the act or omission. R.S.O. 1990, c. C.24, s. 5

Section 6

An application for compensation shall be made within two years after the date of the injury or death but the Board, before or after the expiry of the two-year period, may extend the time for the further period it considers warranted 2000, c. 26, Sched. A, s. 4 (1).

Section 7(1)

Compensation may be awarded for,

(a) expenses actually and reasonably incurred or to be incurred as a result of the victim's injury or death;

(b) pecuniary loss incurred by the victim as a result of total or partial disability affecting the victim's capacity for work;

(c) pecuniary loss incurred by the dependants as a result of the victim's death;

(d) pain and suffering;

(e) support of a child born as a result of rape;

(f) other pecuniary loss resulting from the victim's injury and any expense that, in the opinion of the Board, it is reasonable to incur.

Section 16(1)

An order for compensation may be made whether or not any person is prosecuted for or convicted of the offence giving rise to the injury or death but the Board may, on its own initiative or upon the application of the Minister, adjourn its proceedings pending the final determination of a prosecution or intended prosecution.

CHILD AND FAMILY SERVICES ACT, 1990, Section 63 (1) and (2)

(1) Where a child is made a Crown ward under paragraph 3 of subsection 57 (1), the Crown has the rights and responsibilities of a parent for the purpose of the child's care, custody and control and has the right to give or refuse consent to medical treatment for the child where a parent's consent would otherwise be required, and the Crown's powers, duties and obligations in respect of the child, except those assigned to a Director by the Act or the regulations, shall be exercised and performed by the society caring for the child.

(2) Where a child is made a society ward under paragraph 2 of subsection 57 (1), the society has the rights and responsibilities of a parent for the purpose of the child's care, custody and control. R.S.O. 1990, c. C.11, s. 63

CCAS OPERATIONAL POLICY:

The Society has the parental duty to take steps to claim compensation for an injury or loss suffered by a child in care.

GUIDELINES:

1. Compensation is available for victims of crimes committed in Ontario, whether or not there has been a conviction under the Criminal Code. Where the crime occurred in another province, it is the Society's obligation to determine whether such compensation might be available in that province.
2. The claim is to be filed with the Criminal Injuries Compensation Board within two years of the occurrence of the crime. The legislation provides that the time limit may be extended either before the time limit expires or retroactively if there is adequate justification. Grounds for an extension include a delay caused as a result of waiting for the outcome of a court case or a recent disclosure of a preceding offence. The decision to extend a time limit is at the discretion of the Criminal Injuries Compensation Board. Even where more than a year has passed since the occurrence of the crime, compensation should still be applied for.
3. The applicant must be able to demonstrate to the Board that there has been an injury or death as a result of a crime. However, the applicant need not prove the claim 'beyond a doubt' but rather 'on a balance of probabilities'.
4. An award for compensation may be made for:
 - o expenses actually and reasonably incurred or to be incurred as a result of the victim's death or injury;
 - o monetary loss incurred by a dependent as the result of a parent's death;
 - o pain and suffering;
 - o maintenance of a child born as a result of sexual assault;
 - o costs of therapy resulting from abuse;
 - o other reasonable expenses resulting from the injury.
5. There is no compensation for damage to property. Awards may be granted in the form of a lump sum, periodic payments or a combination of both. Where the need is urgent, interim payments may be made.
6. The Board has the discretion to determine the amount of the award and method of payment but the maximum lump sum is \$25,000 and up to \$1000 per month in periodic payments. Where both a lump sum and periodic payments are awarded the lump sum cannot exceed \$12,500. The Social Worker can expect the Board to request copies of all relevant medical and psychological reports describing the injuries or treatment and all related bills and receipts.

PROCEDURES RELATED TO CRIMINAL INJURIES COMPENSATION:

1. When a Worker assumes case responsibility for a child in care, either due to admission or transfer from another Child Worker, upon review of the child's file, the Worker shall consider whether any incident has occurred which warrants consideration of a Criminal Injuries Compensation Board application. The findings of this review shall be discussed with the Supervisor.
2. The Worker shall notify appropriate authorities and initiate an application to the Criminal Injuries Compensation Board where the following events occur:
 - o a child is injured while in the Society's care as a result of a crime committed by another person
 - o the parent of a child in the Society's care dies as the result of the violent crime committed by another person
 - o a child suffered such an injury or loss of a parent prior to coming into the Society's care and an application has not been filed

1. Where a child suffers an injury or the death of a parent as the result of an act or omission on the part of another person, he or she may have a right to recover damages from the offender in a civil suit.
2. The Worker involved with the child shall contact the police where the circumstances are such that this is appropriate.
3. The Worker shall contact Legal Services and consult with Counsel in order to discuss the merits of a possible lawsuit.
4. Where there may be merit in a lawsuit for damages, Counsel shall seek authorization from Chief Counsel to refer the matter to outside counsel. Chief Counsel shall then obtain the approval of the Director of Service before referring the case to a lawyer with appropriate expertise.

13:05:06 Money Held in Trust

ACCREDITATION STANDARDS: [2]

ORIGINAL APPROVAL DATE: 07/97 APPROVED BY:

SUPERCEDES:

REVIEWED:

MOST RECENT REVIEW DATE: _____ REVIEWED BY: _____

REVISION:

CURRENT REVISION EFFECTIVE DATE: 20/03/2014 REVISED BY: Lord Bennett

APPROVED BY: Executive Director...

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HOLLY PAPASSAY, et al.

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
ONTARIO**

Plaintiffs/Moving Parties

Defendant/ Responding Party

Court File No.: CV-14-0018

<p>ONTARIO SUPERIOR COURT OF JUSTICE</p> <p>PROCEEDING COMMENCED IN TORONTO</p>	<p>AFFIDAVIT OF BRUCE RIVERS (Sworn on June 10, 2016)</p> <p>MINISTRY OF THE ATTORNEY GENERAL Crown Law Office - Civil 720 Bay Street, 8th Floor Toronto, ON M5G 2K1 Fax: (416) 326-4181</p> <p>Lise Favreau (LSUC No.: 37800S) Tel: (416) 325-0684</p> <p>Chantelle Blom (LSUC No.: 53931C) Tel: (416) 326-6084</p> <p>Ananthan Sinnadurai (LSUC No.: 60614G) Tel: (416) 314-2540</p> <p><i>Counsel for the Defendants, Her Majesty the Queen in right of Ontario</i></p>
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**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

**HOLLY PAPASSAY, TONI GRANN, ROBERT MITCHELL,
DALE GYSELINCK and LORRAINE EVANS**

Plaintiffs / Moving Parties

- and -

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ONTARIO

Defendant / Responding Party

Proceeding under the *Class Proceedings Act, 1992*

AFFIDAVIT OF DR. PHILIP KLASSEN

(Sworn June 12, 2016)

I, **Dr. Philip Klassen**, of the City of Toronto in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am a medical doctor with a specialty in psychiatry, and a subspecialty in forensic psychiatry. I have knowledge of the matters stated in this Affidavit except where such knowledge is expressly stated to be based on information and belief, in which case I have stated the source of the information and do believe such information to be true.
2. I am on the Royal College of Physicians and Surgeons subspecialty register, as a forensic psychiatrist. I completed two years of additional training in forensic psychiatry, understood to be the assessment of mental disorder, and the impact/outcome of that mental disorder(s)

in third-party contexts, including with respect to all of criminal and civil proceedings, regulatory body proceedings, labour arbitration, and other proceedings.

3. I am currently Vice-President of Medical Affairs at the Ontario Shores Centre for Mental Health Sciences, where I also work in the Traumatic Stress Clinic. In addition, I am an Assistant Professor at the University of Toronto, in the Law and Mental Health Program (the Forensic Psychiatry Program), and also a Claimant Assessor for the Indian Residential Schools Adjudication Secretariat. I have been involved in forensic psychiatric work for the past approximately twenty-four years. Attached hereto as **Exhibit "A"** to this affidavit is a true copy of my curriculum vitae.

4. I have testified as an expert in numerous legal proceedings and written or collaborated on ^{meritations and} over 130 ~~research~~ publications. I was retained by the Defendant to answer the following the questions: ^{the SA}

a) Is it possible to determine the damages sustained by the entire class of Crown Wards without proof of damages suffered from individual class members?

b) Is it possible to determine damages that a Crown Ward may have suffered without proof by, or assessment of, the individual class member?

c) What factors should be taken into consideration when determining what damages the class member may have suffered?

My Report, which is attached hereto as **Exhibit "B"** to this affidavit and the statements therein, accurately set out my findings, opinions, and conclusions. I reserve the right to modify or supplement these opinions as testimony and additional information becomes

available. This affidavit is made in the context of a Certification Motion brought by the plaintiffs in this proposed class action.

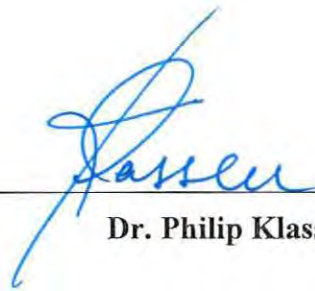
5. I swear this affidavit in response to the plaintiffs' motion to certify the present action as a class proceeding and for no other or improper purpose.

Sworn before me in the City of Toronto
in the Province of Ontario
this 12th day of June, 2016



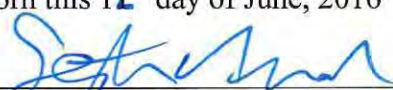
A Commissioner for Taking Affidavits, etc.

Stephen A. Had
41421G



Dr. Philip Klassen

This is **Exhibit "A"** referred to
in the Affidavit of Service of
DR. PHILIP KLASSEN, *PK*
sworn this **12th** day of June, 2016



A Commissioner etc.



Curriculum Vitae of
PHILIP EDWIN KLASSEN, M.D., FRCP (C)

Telephone: 416-578-8130(cellular)
 (905) 668-5881 x6055 (office)
 Fax: (905)-430-4020
 Email: philip.klassen.forensic@gmail.com
klassenp@ontarioshores.ca
 Last Revision: April 18th, 2016

BIOGRAPHICAL INFORMATION

- | | |
|-------------|--|
| 2013 | FELLOW OF THE ROYAL COLLEGE OF PHYSICIANS OF CANADA
Subspecialist Certification in Forensic Psychiatry |
| 1992 - 1994 | FELLOWSHIP IN FORENSIC PSYCHIATRY
University of Toronto |
| 1992 -2000 | MASTER OF SCIENCE (incomplete)
Completed course work at the Institute of Medical Science, but discontinued thesis work. Course and thesis work pertained to the behavioural pharmacology of aggression |
| 1992 | FELLOW OF THE ROYAL COLLEGE OF PHYSICIANS OF CANADA
Specialist Certification in Psychiatry |
| 1988 - 1992 | PSYCHIATRY RESIDENCY
University of Toronto
Senior Resident, Forensic Psychiatry (1990 – 1991)
Clarke Institute of Psychiatry/Centre for Addiction and Mental Health |
| 1987 - 1988 | ROTATING INTERNSHIP
St. Boniface Hospital and the Health Sciences Centre in Winnipeg
University of Manitoba |
| 1983 - 1987 | DOCTOR OF MEDICINE
University of Manitoba |

1981 - 1983 **FACULTY OF SCIENCE**
University of Manitoba
Placed on the Dean's Honour List both year

CURRENT/RECENT POSITIONS

2009- **VICE-PRESIDENT, MEDICAL AFFAIRS**
Ontario Shores Centre for Mental Health Sciences

2011- **STAFF PSYCHIATRIST**
Traumatic Stress Clinic
Ontario Shores Centre for Mental Health Sciences

2001 - 2009 **DEPUTY CLINICAL DIRECTOR**
Law and Mental Health Program
Centre for Addiction and Mental Health

1999 -2009 **ASSOCIATE HEAD (Education)**
Law and Mental Health Program
Centre for Addiction and Mental Health

2002- **ASSISTANT PROFESSOR**
Departments of Psychiatry and Medicine
University of Toronto

1994-2002 **LECTURER**
Department of Psychiatry
University of Toronto

2004-2009 **HEAD, SEXUAL BEHAVIOURS CLINIC TREATMENT PROGRAM**
Law and Mental Health Program
Centre for Addiction and Mental Health

2002 - 2004 **DEPUTY PHYSICIAN-IN-CHIEF**
Centre for Addiction and Mental Health

1998-2009 **SENIOR RESPONSIBLE PHYSICIAN**
Law and Mental Health Program
Centre for Addiction and Mental Health

1995 -2011 **ATTENDING PSYCHIATRIST AND HEAD**
Phallometric Laboratory, Clinical Sexology Program
Clarke Institute of Psychiatry/Centre for Addiction & Mental Health

1995 -2011 **ATTENDING PSYCHIATRIST AND HEAD**
Workplace Violence Risk Assessment Clinic
Clarke Institute of Psychiatry/Centre for Addiction & Mental Health

1996 -2011 **ATTENDING PSYCHIATRIST**
Sexual Behaviours Clinic
Clarke Institute of Psychiatry/Centre for Addiction and Mental Health

-
- 1993 - 1998 **ATTENDING PSYCHIATRIST AND HEAD**
 Anger Management Clinic
 Clarke Institute of Psychiatry/Centre for Addiction & Mental Health

 - 1995 - **CONSULTANT PSYCHIATRIST AND SITE COORDINATOR**
 Ontario Psychiatric Outreach Program/University of Toronto Psychiatric
 Outreach Program
 Thunder Bay Site Coordinator (2001-2005)
 New Liskeard Site Coordinator (1998-2001)
 Kenora Site Coordinator (1997,2002-)

 - 1995 - 1998 **CONSULTANT PSYCHIATRIST**
 Memory Clinic
 Clarke Institute of Psychiatry/Centre for Addiction and Mental Health

 - 1999 - 2003 **ATTENDING PSYCHIATRIST**
 Anger Management Clinic
 Centre for Addiction and Mental Health

 - 1992 - 2009 **ATTENDING PSYCHIATRIST**
 METFORS/Assessment and Triage Unit
 Clarke Institute of Psychiatry/Centre for Addiction & Mental Health

 - 1992 -1999 **CONSULTANT PSYCHIATRIST**
 Gender Identity Clinic
 Clarke Institute of Psychiatry/Centre for Addiction and Mental Health

 - 1992 - 1996 **CONSULTANT PSYCHIATRIST**
 Correctional Service of Canada
 Kingston Area Penitentiaries

 - 1995 - 2009 **MEMBER, BOARD OF INQUIRY**
 College of Physicians and Surgeons of Ontario

 - 2009- 2013 **MEMBER, INQUIRIES, COMPLAINTS, AND REPORTS COMMITTEE**
 The College of Physicians and Surgeons of Ontario

 - 2000 - **MEMBER, ONTARIO REVIEW BOARD**

 - 2006- **INDIAN RESIDENTIAL SCHOOLS ADJUDICATION SECRETARIAT**
 Claimant Assessor

 - 1995 - **EXAMINER, MEDICAL COUNCIL OF CANADA**

 - 1996 **CONSULTANT PSYCHIATRIST**
 Emergency Task Force
 Toronto Police Services

 - 1997 -2001 **EXTERNAL CONSULTANT**
 Mood Disorders Association of Metropolitan Toronto

- 2007- **EXTERNAL CONSULTANT**
Peel Region Children's Aid Society
- 2009- 2010 **EXTERNAL CONSULTANT**
CMHA Peel Region
- 2014- **MEMBER, BOARD OF DIRECTORS**
Canadian Academy of Psychiatry and the Law

ACADEMIC AWARDS

- 2001 Abe Miller Award for Excellence in Undergraduate Teaching
Department of Psychiatry, University of Toronto
- 2000 Nominated for the Abe Miller Award for Excellence in
Undergraduate Teaching
Department of Psychiatry, University of Toronto
- 1998, 1999 Nominated for the Robin Hunter Award for Excellence in
Postgraduate Teaching
Department of Psychiatry, University of Toronto
- 2010 Nominated for Postgraduate Education Award at CAMH

PROFESSIONAL AFFILIATIONS AND ACTIVITIES

Canadian Academy of Psychiatry and the Law
Canadian Medical Protective Association
Canadian Psychiatric Association (section member transcultural psychiatry)
Ontario Medical Association
Canadian Medical Association
International Association for Forensic Mental Health Services

COMMITTEES

- 1989 - 1990 Psychiatric Residents' Association of Toronto
St. Michael's Hospital Representative,
Supervisor Evaluation Committee
- 1990 - 1991 Psychiatric Residents' Association of Toronto
Co-President of Executive body
Supervisor Evaluation Committee
- Forensic Psychiatry Committee
Department of Psychiatry Executive (ex-officio)
Senior Advisory Committee (ex-officio)
- 1991 - 1992 Centre for Addiction and Mental Health
Ethics Committee

- 1992 - 1998 Centre for Addiction and Mental Health
Resident Education Committee

- 1998 University of Toronto
Division Head Search Committee

- 1993 - 1994 Forensic Program
Clarke Institute of Psychiatry
Accreditation Committee

- 1994 - 1997 Centre for Addiction and Mental Health
Educational Planning Committee

- 1994 – 1997 Department of Psychiatry
University of Toronto
Recruitment Committee

- 1995 - 1996 Department of Psychiatry
University of Toronto
Medical Student Liaison Group

- 1998 - Department of Psychiatry
University of Toronto
Underserved Areas Program Steering Committee

- 1998 -2009 Medical Advisory Committee
Centre for Addiction & Mental Health

- 1998 Forensic Program Steering Committee
Centre for Addiction & Mental Health

- 1999 Accreditation Committee
Ontario Review Board Committee
Unit 1-3 Program Review Committee (Chair)
Assessment and Triage Unit Committee
Centre for Addiction and Mental Health
University of Toronto

- 2000 Joint Conference Committee
Centre for Addiction and Mental Health
University of Toronto

- 2000 - 2001 Continuing Education Committee
Faculty of Social Work
University of Toronto

- 2002 Alternative Payment Plan Committee
Centre for Addiction and Mental Health

2005-	Postgraduate Education Committee Department of Psychiatry University of Toronto
2008-	Member, Advisory Committee Centre for Forensic Science and Medicine University of Toronto
2008-2009	Member, Utilization Management Committee Centre for Addiction and Mental Health
2008-2009	Member, Workplace Violence Committee Centre for Addiction and Mental Health
2011-2013	Member, Strategic Planning Committee/Dialogue University of Toronto Department of Psychiatry
2011-	Member, Resident Program Committee Law and Mental Health Program, University of Toronto
2012	Admissions Evaluator Faculty of Medicine, University of Toronto
2012-2013	Co-Chair, Underserved and Marginalized Groups Committee University of Toronto Department of Psychiatry
2012	Law Commission of Ontario Law Reform Project
2013-2014	IAFMHS Toronto 2014 Scientific Program Committee
2014-	Chair, Forensic Quality Initiative
2014-	Hospital-University Education Committee Faculty of Medicine, University of Toronto
2015-	Co-Chair, Quality-Based Procedures (QBP) Committee (Schizophrenia) Health Quality Ontario (HQO)
2015	Chair, Scientific and Planning Committee Canadian Academy of Psychiatry and the Law

EXTERNAL REVIEWER

2012	Psychiatric Services in Newfoundland Corrections (for Eastern Health)
2015	Forensic Mental Health Services Review (Manitoba) (for Winnipeg Regional Health Authority)
2015	Facilities and policy review, Women in Ontario Correctional Institutions (content expert, with Optimus SBR)

COURTESY STAFF

1996 - 1998 Timmins and District Hospital, Timmins Ontario
 1998 - 2001 Temiskaming Health Centre, New Liskeard Ontario
 1994 - 1997 Lake of the Woods District Hospital, Kenora Ontario
 1997 - 2003 Thunder Bay Regional Hospital, Thunder Bay Ontario

OTHER TRAINING

1999 Psychopathy Checklist - Revised (PCL-R) trained, Leicester, England
 Violence Risk Appraisal Guide (VRAG) trained, Toronto, Canada

ACADEMIC HISTORY**RESEARCH AWARDS**

1999 - 2002 **SOCIAL SCIENCES AND HUMANITIES RESEARCH COUNCIL OF CANADA**
 Cognitive functioning in pedophiles. (collaborator; PI Dr. R. Blanchard)
 Grant amount \$63,000 (3 years).

2009 **FOUNDATION OF THE CANADIAN PSYCHIATRIC ASSOCIATION**
 Identifying factors associated with risk of workplace violence and aggression by employees.
 Principal Investigator- M. Seto, PhD, co-investigators: P. Klassen, M.D., M. Siu, M.D.
 Grant amount \$28,000

2010 **CANADIAN INSTITUTES FOR HEALTH RESEARCH (CIHR)**
 Neuroanatomic features specific to pedophilia
 Principal Investigator: James M. Cantor
 Co-Investigators: Howard E. Barbaree, Ray Blanchard, Robert Dickey, Todd A. Girard, Philip E. Klassen, and David J. Mikulis
 Grant amount \$1,071,920 (5 years)

PUBLICATIONS**SENIOR RESPONSIBLE AUTHOR**

1. 1993 **Klassen, P.E.** Applied criminology.
Current opinion in Psychiatry, 1993, 6:780-785.
2. 1994 **Klassen, P.E.** Book review of: Meloy J.R. *Violent Attachments*.
Canadian Journal of Psychiatry, 1994, 39(6): 377.
3. 1994 **Klassen, P.E.** Serotonergic treatment of violent men: a review and update. *Newsletter of the Canadian Academy of Psychiatry and the Law*. 1994, 1(2): 10-11.

4. 1996 **Klassen, P.E.** Dealing with the aggressive patient. *Medicine North America*. 1996, 19(5): 59-66.
5. 2005 **Klassen, P., Brunet, A.** Fitness to practise. In *Handbook of Psychiatry and the Law in Canada*. Bloom, H., Hucker, S.J., editors. First Folio, Toronto, Canada (invited book chapter submitted for publication).
6. 2005 **Klassen, P., Wright, P.** (2005) Forensic assessment. In *Psychiatric Clinical Skills*. Goldbloom, D. Editor. Elsevier Scientific Press, New York, New York.

COLLABORATOR

7. 1994 Nussbaum, D., Wright, P., McDonald, A., **Klassen, P.E.** Some subtle task conflicts arising from requests to perform concurrent psycholegal assessments. *Health Law in Canada*. 1994, 15 (1); 20-24.
8. 1996 Schell, D., Malcolmson, S., **Klassen, P.E.** (1996). The Hospitalized patient: clinical and legal aspects of care. In *A practical guide to mental health, capacity, and consent law in Ontario*. Bloom, H., Bay, M., editors. First Folio, Toronto, Canada.
9. 1997 Blanchard, R., and **Klassen, P.E.** H-Y antigen and homosexuality in men. *Journal of Theoretical Biology*. 1997, 185: 373-378.
10. 1998 Blanchard, R., Zucker, K.J., Seigelman, M., Dickey, R., and **Klassen, P.E.** The relation of birth order to sexual orientation in men and women. *Journal of Biosocial Science*. 1998, 30: 511-519.
11. 1999 Blanchard, R., Watson, M.S., Choy, A., Dickey, R., **Klassen, P.**, Kuban, K., & Ferren, D.J. Pedophiles: Mental retardation, maternal age, and sexual orientation. *Archives of Sexual Behaviour*. 1998, 28(2) 111-127.
12. 2000 Blanchard, R., Barbaree, H.E., Bogaert, A.F., Dickey, R., **Klassen, P.**, Kuban, M.E., & Zucker, K.J. Fraternal birth order and sexual orientation in pedophiles. *Archives of Sexual Behaviour*. 2000, 29(5) 463-478.
13. 2001 Blanchard, R., **Klassen, P.**, Dickey, R., Kuban, M., and Blak, T. Sensitivity and specificity of the phallometric test for pedophilia in non-admitting sex offenders. *Psychological Assessment*. 2001, 13(1) 118-126.

14. 2002 Blanchard, R., Christensen, B.K., Strong, Scott., Cantor, J.M.,
Kuban, M.E., **Klassen**, P., Dickey, R., & Blak, T.
Retrospective self-reports of childhood accidents causing
unconsciousness in phallometrically diagnosed pedophiles.
Archives of Sexual Behaviour, 2002, 13(6) 511-526.
15. 2003 Blanchard, R., Kuban, M.E., **Klassen**, P.E., Dickey, R.,
Christensen, B.K., Cantor, J.M., & Blak, T. Self-reported
head injuries before and after age 13 in pedophilic and non-
pedophilic men referred for clinical assessment. *Archives of
Sexual Behavior*. 2003, 32(6) 573-581.
16. 2004 Cantor, J.M., Blanchard, R., Christensen, B.K., Dickey, R.,
Klassen, P.E., Beckstead, A.L., Blak, T., & Kuban, M.E.
Intelligence, memory, and handedness in pedophilia.
Neuropsychology. 2004, 18 (1) 3-14.
17. 2005 Cantor, James M., **Klassen**, P.E., Dickey, R., Christensen, B.K.,
Kuban, M.E., Blak, T., Williams, N.S., Blanchard, R.
Handedness in pedophilia and hebephilia. *Archives of
Sexual Behaviour*. 2006, 34 (4) 4; 447-459.
18. 2006 Blanchard, R., Kuban, M.E., Blak, T., Cantor, J.M., **Klassen**, P.E.,
& Dickey, R. Phallometric comparison of pedophilic interest
in non-admitting sexual offenders against stepdaughters,
biological daughters, other biologically related girls, and
unrelated girls. *Sexual Abuse: A Journal of Research and
Treatment*. 2006, 18(1);1-14.
19. 2006 Cantor, James M., Kuban, M., Blak, T., **Klassen**, P.E., Dickey, R.,
& Blanchard, R. Grade failure and special education
placement in sexual offenders' educational histories.
Archives of Sexual Behaviour. 2006, 35; 743-451.
20. 2007 Blanchard, R., Kolla, N.J., Cantor, James M., **Klassen**, P.E.,
Dickey, R., Kuban, M., & Blak, T.
IQ, handedness, and pedophilia in adult male patients
stratified by referral source. *Sexual Abuse: A Journal of
Research and Treatment*, 2007, 19; 285-309.
21. 2007 Cantor, J. M., Kuban, M. E., Blak, T., **Klassen**, P. E., Dickey, R. &
Blanchard, R. Physical height in pedophilic and hebephilic
sexual offenders. *Sexual Abuse: A Journal of Research and
Treatment*. 2007, 19(4); 395-407.
22. 2008 Cantor, J. M., Kuban, N., Christensen, B. K., Zipursky, R. B.,
Barbaree, H. E., Dickey, R., **Klassen**, P. E., Mikulis, D. J.,
Kuban, M. E., Blak, T., Richards, B. A., Hanratty, M. K., &
Blanchard, R. Cerebral white matter deficiencies in
pedophilic men. *Journal of Psychiatric Research*. 2008,
42(3); 167-83.

23. 2008 Blanchard, R., Lykins, A. D., Wherrett, D., Kuban, M. E., Cantor, J. M., Blak, T., Dickey, R., & **Klassen, P. E.** Pedophilia, hebephilia, and the DSM-V. *Archives of Sexual Behavior*. DOI: 10.1007/s10508-008-9399-9
24. 2009 Blanchard, R., Kuban, Blak, T., Cantor, J., **Klassen, P. E.**, & R. Dickey Absolute versus relative ascertainment of pedophilia in men *Sexual Abuse: A Journal of Research and Treatment* DOI: 10: 1177/107906320347906
25. 2009 Blanchard, R., Lykins, A. D., Wherrett, D., Kuban, M. E., Cantor, J. M., Blak, T., Dickey, R., & **Klassen, P. E.** (2009). Pedophilia, hebephilia, and the DSM-V. *Archives of Sexual Behavior*, 38, 335–350.
26. 2010 Blanchard, R., Kuban, M., Blak, T., **Klassen, P. E.**, Dickey, R., & Cantor, J. Sexual attraction to others: a comparison of two models of alloerotic responding in men. *Archives of Sexual Behavior*. DOI: 10.1007/s10508-010-9675-3.
27. 2010 Lykins, A.D., Cantor, J., Kuban. M.E., Blak, T., Dickey, R., **Klassen, P. E.**, & Blanchard, R. Sexual arousal to female children in gynephilic men *Sexual Abuse: A Journal of Research and Treatment* DOI: 10: 1177/107906321037141
28. 2010 Kolla, N. J., Blanchard, R., **Klassen, P. E.**, Kuban, M. E., & Blak, T. (in press). Effect of sildenafil on penile plethysmography responding: A pilot investigation. *Archives of Sexual Behavior*. DOI 10.1007/s10508-009-9506-6
29. 2010 Lykins, A. D., Cantor, J. M., Kuban, M. E., Blak, T., Dickey, R., **Klassen, P. E.**, & Blanchard, R. (2010). The relation between peak response magnitudes and agreement in diagnoses obtained from two different phallometric tests for pedophilia. *Sexual Abuse: A Journal of Research and Treatment*, 22, 42–57
30. 2010 Kolla, N.J., **Klassen, P.E.**, Kuban, M.E., Blak, T., & Blanchard, R. (2010). Double blind, placebo-controlled trial of sildenafil in phallometric testing. *The Journal of the American Academy of Psychiatry and the Law*, 38, 502-511

PRESENTATIONS AND SPECIAL LECTURES

PAPERS PRESENTED AT MEETINGS AND SYMPOSIA [peer-reviewed]

1. 1993 Department of Psychiatry University of Toronto Research Day Poster
Presentation, Toronto, Ontario
"An open trial of buspirone in impulsively aggressive males"
2. 1993 World Psychiatric Association Regional Symposium Poster
Presentation, Cologne Germany
"An open trial of buspirone in impulsively aggressive males"
3. 1994 Canadian Academy of Psychiatry and the Law Annual Meeting,
Mont Tremblant, Quebec
"Serotonergic treatment of violent men: a review and update"
4. 1995 Canadian Psychiatric Association Annual Meeting,
Victoria, BC
"A treatment trial of buspirone in aggressive male outpatients"
5. 1995 Canadian College of Neuropsychopharmacology Annual Meeting,
Vancouver, BC
"An open trial of buspirone in impulsively aggressive males"
6. 1996 Ontario Psychiatric Association Annual Meeting,
Toronto, Ontario
"The hired gun in forensic psychiatry"
7. 1996 Sixth European Conference on Psychology and Law,
Siena, Italy
"Biological treatments for conduct-disordered youth"
"An overview of phallometric testing"
8. 1996 American Academy of Psychiatry and the Law Annual Meeting,
San Juan Puerto Rico (with H. Bloom, R. Schneider, A.
Greer)
"How to avoid becoming a hired gun in forensic psychiatry"
9. 1999 Canadian Psychiatric Association Annual Meeting,
Toronto, Ontario (with A. Brunet)
Satellite symposium: "Understanding the duty to warn or protect"
10. 2000 Forensic Psychiatry Research Day,
Penetanguishene, Ontario (with R. Blanchard)
*"Sensitivity and specificity of the phallometric test for pedophiles in
non- admitting sex offenders"*

11. 2000 International Symposium on Justice for Special Needs Offenders,
Toronto, Canada (with S. Pullan, L. Ramshaw)
"Secure treatment facilities for women"
12. 2001 Ontario Psychiatric Association Annual meeting,
Toronto, Ontario (with S. Woodside, A. Choy, A. Brunet)
*"Risk assessment and management in mentally disordered
offenders"*
(Coordinator and speaker in half-day symposium)
13. 2001 14TH Biennial Symposium on Employee and Family Assistance
Programs Ottawa, Canada (with P. Williams)
*"Workplace violence: an organizational problem requiring an
organizational solution"*
14. 2002 6th World Congress on Injury Prevention,
Montreal, Quebec
"Workplace violence risk assessment"
15. 2002 XXVI Congress on Law and Mental Health,
Amsterdam, Netherlands [with Mr. Justice R. Schneider, Mr.
Justice E. Ormston, and J. Arboleda-Florez]
"Evolution of Criminal Code remands in Toronto, Canada"
16. 2002 AMA-CMA Joint Conference on Physician Health,
Vancouver, British Columbia (with P. Wiebe)
*"Boundary violations in professional practice: understanding and
prevention"*
17. 2007 30th International Congress on Law and Mental Health
Padua, Italy
*"Issues and challenges in managing the Nunavut Court of
Justice/Nunavut Review Board – forensic assessment of the Inuit in
Nunavut"*
[Session coordinator, with Justice B. Browne, Dr. A. Choy, Mr. J.
McNamee].
18. 2007 Canadian Psychiatric Association Annual Meeting
Montreal, Canada
"Conducting forensic assessments and testifying out of province"
[with S. Hucker]
19. 2009 31st International Congress on Law and Mental Health,
New York, New York
"The role of detention centres in the treatment of mental illness"
20. 2009 Canadian Psychiatric Association Annual Meeting,
St. John's, Newfoundland
"Structured workplace violence risk assessment" [with M. Seto, M.
Siu]

21. 2011 23rd Annual National Forum on Quality Improvement in Health Care
IHI, Orlando, Florida
"Multiple approaches to reducing wait times" [with S. Neuburger, B. Brannon, C. Chadwick]
22. 2013 Canadian Academy of Psychiatry and the Law 18th Annual Conference
Mt. Tremblant, PQ
"Patient sexual relations in hospital: use of an intimacy suite"
23. 2013 IAFMHS 2013, Maastricht, Netherlands
"Shaping the conversation; the media, public opinion, and forensic mental health services"
24. 2013 Schizophrenia Society of Canada 2013 National Conference
Winnipeg, Manitoba
"Intimacy recovery: Ontario Shores' journey"
25. 2013 Health Quality Transformation 2013, Toronto, Ontario
"A multidimensional approach to restraint and seclusion prevention: a mental health perspective" [with S. Riahi]
26. 2014 Canadian Academy of Psychiatry and the Law Annual Meeting, Lake Louise Alberta
"Use of key performance indicators in forensic mental health"
"Intimacy recovery: one year later"
27. 2014 Ontario Shores 3rd Annual Research Day, Whitby, Ontario
"Intimacy recovery"
28. 2014 ReFocus on Recovery 2014, London, UK
"Intimacy recovery: supporting patient intimacy in an inpatient mental health setting"
29. 2014 IAFMHS 2014 Toronto, Canada
"The annual report in forensic mental health services; an international perspective" [with Q. Haque, H. Kennedy, L. Thomson]
"Clinical practice guidelines in forensic mental health care" [with L. Marshall]
"Key performance indicators in forensic mental health care" [with S. Simpson]
30. 2014 Canadian Psychiatric Association Annual Conference 2014, Toronto, Canada
"Practical applications of Recovery in a specialized mental health facility" [with A Porter, S Riahi, I Dawe, M Campbell]
31. 2014 Fourth International Conference of Violence in the Health Sector, Miami, Florida
"Implementation of Recovery Rounds in the prevention of restraint and seclusion" [with S. Riahi, I. Dawe, M. Wasdell, and A. Hernandez]

32. 2015 CAPL Annual Meeting, Quebec City, PQ
"Implementation and applicability of LOCUS in forensic inpatient and outpatient settings" [with E. Coleman]
33. 2015 Royal College of Psychiatrists (UK) Forensic Faculty Annual Meeting, Budapest, Hungary
"Advancing quality and Recovery using technology"
34. 2015 University Of Toronto Law and Mental Health Program Research Day Penetanguishene, Ontario
"Implementation and applicability of LOCUS in general and forensic inpatient and outpatient settings" [with E. Coleman]
35. 2015 IAFMHS, Manchester, United Kingdom
"Forensic system development n Ethiopia: Mental health and diversion court in Addis Ababa" [with R. Schneider]
36. 2015 IAFMHS, Manchester, United Kingdom
"Implementation of clinical practice guidelines and impact on metabolic monitoring"
37. 2015 Canadian Psychiatric Association Annual Meeting, Vancouver, BC
"Leveraging technology to reduce variability, improve quality and efficiency, and enhance service user engagement" [with I. Dawe, S. Riahi, and I. Fischler]
38. 2016 HIMSS 16 Conference and Exhibition, Las Vegas, Nevada
"Ontario Shores' journey to EMRAM Stage 7 and Davies Award of Excellence [with K. Mamdani and S. Riahi]"
"Leveraging technology in a behavioural health setting to advance care" [with S. Riahi]
39. 2016 Canadian Academy of Psychiatry and the Law Annual Meeting, Vancouver, BC
"A new twist on violence risk assessment in non-Caucasians: implications of Ewert v. Canada" [with J. Watts]"
"Post-verdict procedures in the mentally-disordered accused and the question of fitness to be sentenced" [with L. Ramshaw and R. Schneider]"
"Assessing risk and transition readiness in forensic with the LOCUS tool" [with E. Coleman]

INVITED LECTURER

1. 1993 University of Toronto Department of Psychiatry Clinical Day in Psychopharmacology, Toronto, Ontario
"Impulsivity and aggression: a trial of treatment and conceptual clarification"

2. 1994 Queen's University Department of Psychiatry Grand Rounds,
Kingston, Ontario
"Serotonergic treatment of violent men: a review and update"
3. 1994 Ontario Association of Physicians in Corrections,
Toronto, Ontario
"Pharmacological approaches to violent behaviour"
4. 1994 Chinese Family Physicians Association of Toronto,
Toronto, Ontario
"Management of the violent patient"
5. 1995 University of Toronto Health Service Rounds,
Toronto, Ontario
"Anger management"
6. 1995 Ontario Provincial Police Symposium on the Psychiatry/Psychology of
Aggression, Brampton, Ontario
"Delusional disorders"
7. 1995 Clarke Institute of Psychiatry, Department of Social Work Public Forum,
Toronto, Ontario
"Coping with relatives who become aggressive: strategies for families"
8. 1996 George Weston Limited Employee Education Conference, Toronto,
Canada (conference organizer and keynote speaker)
"Violence in the workplace"
9. 1996 Ontario Crown Attorneys' Association Summer Seminars
Hamilton, Ontario (with Dr. S. Woodside)
"Clinical factors in risk assessment"
10. 1996 National Conference on Disability and Work,
Toronto, Ontario
"Violence in the workplace: management of aggressive behaviour and assessment of disability"
11. 1996 University of Western Ontario Continuing Medical Education Day
London Ontario
"A review of the paraphilias and phallometric testing"
12. 1997 University of New Brunswick, Fredericton, New Brunswick
Workplace Stress and Family Violence Conference
Opening plenary
"The violent person: assessing and treating individuals with anger problems"
"Intervention: implementing an anger management program for violent individuals"

13. 1997 Wellesley/St. Michael's Hospital Psychiatry Grand Rounds,
Toronto, Canada.
"Phallometric testing: a review and update"
14. 1998 Halton Regional Police Sexual Assault Investigators Conference,
Burlington, Ontario.
"A review of the paraphilias and phallometric testing"
15. 1998 Toronto Provincial Court Judges Conference,
Toronto, Ontario
"An introduction to psychopharmacology"
16. 1998 Ontario Crown Attorneys' Association Summer Seminars
Hamilton, Ontario
"Cross-examination of the defence expert"
17. 1998 Wellesley/St. Michael's Hospital Psychiatry Grand Rounds,
Toronto, Canada.
"The duty to inform when a patient may be violent"
18. 1998 Disaster Recovery Information Exchange,
Toronto, Canada.
"Violence in the workplace: management of aggressive behaviour"
19. 1999 George Weston Limited Employee Education Conference
(conference organizer and keynote speaker)
"Violence in the workplace"
20. 1999 Ontario Provincial Police Conference,
New Liskeard, Ontario.
"Assessment of sex offenders"
21. 1999 Manitoba Provincial Crown Attorneys' Conference,
Winnipeg, Manitoba
"Evaluating domestic violence and stalking behaviour"
22. 1999 Canadian Mental Health Association, Ontario Division, Annual
Conference Timmins, Canada
"Mental disorder and justice"
23. 1999 Ontario Crown Attorneys' Association Summer Seminars,
London, Ontario
"Assessment and treatment of sex offenders"
24. 1999 Probation and Parole Officers of Ontario Annual Conference,
Niagara Falls, Ontario
"The Mental Health Act"

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25. 1999 Royal College of Dental Surgeons of Ontario Annual Meeting
Toronto, Ontario
"Substance use in professionals"
 26. 2000 City of Toronto Violence in the Workplace Task Force,
Toronto, Ontario
"Psychopathology of the violent employee"
 27. 2000 George Weston Limited Group of Companies EAP Conference,
Toronto Ontario
"Psychopathology of the violent employee"
 28. 2000 Bank of Nova Scotia Security and Investigation Workshop,
Toronto, Canada
"Violence and sexual harassment in the workplace"
 29. 2000 Ontario Crown Attorneys' Association Summer Seminars,
London, Ontario
"The role of the psychiatrist in Dangerous Offender proceedings"
 30. 2000 Review Boards and the Practice of Psychiatry,
Midland, Ontario
"Psychiatric reports and testimony in annual ORB hearings"
 31. 2000 Schizophrenia Clinical Update 2000,
Toronto, Canada
"Forensic issues in schizophrenia"
 32. 2000 Ontario Review Board Chair and Alternate Chairs Educational Day,
Toronto, Canada
"Introduction to psychopharmacology"
 33. 2001 Clinical Challenges in Psychiatric Practice, Centre for Addiction and
Mental Health, Toronto, Ontario
"Anger, aggression, and homicidal ideation"
 34. 2001 George Weston Limited Group of Companies EAP Conference,
Toronto, Ontario
"Psychopathology of the violent employee"
 35. 2001 Wellesley/St. Michael's Hospital Department of Psychiatry Grand
Rounds, Toronto, Ontario
"Violence and mental disorder"
 36. 2001 Ontario Crown Attorneys' Association Summer Seminars,
Sudbury, Ontario
*"The role of the psychiatrist in Dangerous Offender
proceedings"*
"Paraphilias and phallometric testing"

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37. 2001 MHCP Symposium for Postgraduate Trainees
Midland, Ontario
"Psychopathy"
"Paraphilias and phallometric testing"
(Also conference co-organizer)
 38. 2001 Partnership in Mental Health and Addiction,
Toronto, Canada
"Hospital treatment of forensic patients: issues new and old"
 39. 2002 George Weston Limited EAP conference,
Halifax, Nova Scotia
"Stalking and threat assessment"
"Workplace violence risk assessment"
 40. 2002 Ontario Crown Attorneys' Training Seminar on Violence against
Women, Toronto, Canada
"Risk assessment of domestic abusers"
 41. 2002 Canadian Judicial Institute Spring Educational Session,
Ottawa, Ontario (with D. Butt, C. McGoey, S. Ahktar)
"When is an expert an expert?"
 42. 2002 Department of Occupational Medicine, University of Toronto,
Toronto, Ontario
"Workplace violence and risk assessment"
 43. 2002 George Weston Limited EAP Conference,
Toronto, Ontario
"Workplace violence risk assessment"
 44. 2002 OPG CME Conference,
Toronto, Ontario
"Workplace violence risk assessment"
 45. 2002 Ontario Crown Attorneys' Association Summer Seminars
London, Ontario
"Psychopathy, paraphilias, and risk management"
"Cross-examination of the expert witness"
 46. 2002 Schizophrenia Update 2002
Toronto, Canada
"Violence risk assessment in persons with schizophrenia"
 47. 2002 Peterborough Regional Health Centre Psychiatry Rounds
Peterborough, Ontario
"Paraphilias and phallometric testing"
 48. 2002 Post-Traumatic Stress Disorder: Third Party Assessment of the
Traumatic Patient, Toronto, Canada
"Forensic evaluation of trauma"

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49. 2002 Training in forensic psychiatry: Kenora and Rainy River Districts,
Kenora, Ontario
"Forensic systems and the Ontario Review Board"
"Psychopathy"
"Actuarial and clinical risk assessment"
"Major mental illness and violence"
"Clinical sexology"
 50. 2003 Canadian Institute: Institutional Liability for Sexual Assault and
Abuse. Toronto, Canada (with S. Jellinek, C. Bierbrier, R.
Berry) *"Key developments in the creative and effective use of
experts"*
 51. 2003 Canadian Academy of Psychiatry and The Law Annual Meeting,
Mt. Tremblant, Quebec
*"Boundary violations in professional practice: understanding and
prevention"*
 52. 2003 Ontario Crown Attorneys' Association Summer Seminars,
London, Ontario
"Cross-examination of the expert witness"
 53. 2003 MHCP Symposium for Post-Graduate Trainees,
Midland, Ontario (and conference co-chair)
"Workplace violence risk assessment"
 54. 2003 Stratford General Hospital Annual Day in Psychiatry,
Stratford, Ontario
"Boundary violations in professional practice"
 55. 2003 Occupational and Environmental Medicine Association of Canada
Annual Meeting, Toronto, Canada (with R. Qureshi)
"Workplace violence risk assessment"
 56. 2003 Royal College of Dental Surgeons of Ontario Annual Meeting
Toronto, Canada
"Boundary violations in professional practise".
 57. 2003 Grand Rounds, Department of Psychiatry, Humber River Regional
Hospital, Toronto, Canada (with S. Pullan)
"Boundary violations in professional practice".
 58. 2003 Grand Rounds, Peterborough Regional Health Centre Department of
Psychiatry, Peterborough, Canada
"Boundary violations in professional practice".
"Violence risk assessment in schizophrenia".
 59. 2003 Grand Rounds, St. Michael's Hospital,
Toronto, Canada
"Mental disorder and the Criminal Code".

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60. 2003 HR Solutions
Ottawa Canada [with Peter Williams].
"Workplace violence risk assessment"
 61. 2004 New Directions Counselling Centre Training in Forensic Psychiatry,
Kenora , Ontario
"Forensic issues and personality disorders".
 62. 2004 Canadian Psychiatric Association Annual Winter Meeting,
Punta Cana, Dominican Republic
"Violence risk assessment in persons with schizophrenia"
"Psychopathy in clinical practice"
"Boundary violations in professional practice"
 63. 2004 Canadian Police Hostage Negotiators Group meeting,
Ottawa, Canada
"Dealing with emotionally disturbed persons"
"Psychopathy in clinical practice"
 64. 2004 George Weston Bakeries Limited HR Meeting
Long Island, New York
"Workplace violence risk assessment"
 65. 2004 Grand Rounds, Peterborough Regional Health Centre Department of
Psychiatry, Peterborough, Canada
"Psychopathy in clinical practice"
 66. 2004 Scotiabank Employee Relations/Employment Law Conference,
Hamilton, Ontario
"Management of the angry or depressed employee"
 67. 2004 MHCP Symposium for Post-graduate Trainees
Midland, Ontario
"Pharmacological sex-drive reduction"
"Legal frameworks for treatment"
 68. 2005 85th Annual Ontario Psychiatric Association Meeting
Toronto, Canada
"Pharmacological sex drive reduction"
 69. 2005 5th Annual Toronto Psychopharmacology Update Day,
Toronto, Canada
"Psychopharmacological treatment of personality-based aggression"
 70. 2005 Violence and Society: Ontario District Branch of the American
Psychiatric Association, Toronto, Canada
"Criminogenic effects of alcohol and drugs"
 71. 2005 Department of Psychiatry Grand Rounds, Toronto General Hospital,
Toronto, Canada
"Workplace violence risk assessment"

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72. 2005 Therapeutic Jurisprudence Kenora, Ontario
"Criminogenic effects of alcohol and drugs"
"Introduction to the ODARA"
 73. 2005 Crown Conference: The Mentally Disordered in the
Criminal Justice System, Toronto, Canada
"Violence and mental disorder"
 74. 2005 Court of Appeal for Ontario Education Seminar,
Niagara-on-the-Lake, Ontario
"The frontal lobes and the criminal justice system" [with Dr. Percy Wright]
 75. 2005 Ontario Crown Attorneys' Association Summer Seminars
London, Ontario
"Clinical sexology and phallometric testing [with Dr. P. Collins]"
"Cross-examination of the expert witness"
"High Risk Offenders"
"Trial advocacy"
 76. 2005 MHCP Symposium for Post-Graduate Trainees
Midland, Ontario
"Filicide"
 77. 2005 23rd Meeting of the Interpol Specialist Group on Crimes
Against Children
Lyon, France
"Phallometric testing: a review and update"
 78. 2005 Peterborough Regional Health Centre Department of Psychiatry
Grand Rounds, Peterborough, Canada
"Infanticide"
 79. 2005 McMaster University Department of Occupational Medicine Rounds,
Hamilton Ontario
"Workplace violence risk assessment"
 80. 2005 Joint Meeting of the American Academy of Child and Adolescent
Psychiatry (52nd Annual Meeting) and the Canadian
Academy of Child and Adolescent Psychiatry (25th Annual Meeting)
Toronto, Canada
"Expert testimony"
 81. 2006 Addis Ababa University Department of Psychiatry,
Addis Ababa, Ethiopia
"Forensic assessment"
"Risk assessment"
"Rehabilitation of forensic clients"

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82. 2006 Kenora – Rainy River District Forensic Conference,
Dryden, Ontario
“Introduction to the ODARA”
“Cognitive disorders and the criminal justice system”
 83. 2006 Peel Regional Police Training in Mental Disorders,
Brampton, Ontario
“Psychopathy”
 84. 2006 Ontario Association of Crisis Intervention Workers Annual Meeting,
Peterborough, Ontario
“Violence risk assessment”
 85. 2006 Ontario Crown Attorneys' Association Summer Seminars,
London, Ontario
“Phallometric testing”
“Sentencing” [with D. Fisher, S. Akhtar, H. Goody]
“Risk assessment” (twice)
“Cross-Examination of the defence expert [with S. Hallett]
 86. 2006 Department of Psychiatry Grand Rounds
University of Western Ontario, London, Ontario
“Malingering and the detection of feigned psychosis”
 87. 2006 Legal Issues and Controversies in Mental Health
University Health Network
Toronto, Canada
“Criminally responsible or not? How do you judge?”
 88. 2006 Annual General Meeting of the Consent and Capacity Board,
Toronto, Canada
“Overview of psychopharmacology and consent”
 89. 2007 Kenora-Rainy River District Annual Forensic Conference,
Kenora, Ontario
“Psychopathy in adolescents
“Adolescent sex offenders”
“Boundary violations in professional practice”
 90. 2007 Ontario Crown Attorneys' Association Summer Seminars
London, Ontario
“Sentencing” [with S. Akhtar]
“High risk offenders” [with S. Woodside, C. Abramowitz]
“Pedophilia”
 91. 2007 Enhanced Intensive Supervision Training
Orillia, Ontario
Ontario Correctional Services College

92. 2007 Innovations in Human Services and Justice Initiative Conference,
Toronto Canada conference workshop
"Mental disorder and civil statutes"
93. 2007 Ministry of the Attorney General Conference on Internet Child
Exploitation Prosecutions, Collingwood, Ontario
"Phallometric testing"
94. 2008 Royal College of Dental Surgeons
Council Meeting, Toronto, Ontario
"Boundary violations in professional practice"
95. 2008 CAUBO: Emergency Preparedness on Canadian Campuses,
Toronto, Ontario
"A multi-step approach to violence prevention"
96. 2008 The Canadian Institute: Institutional Liability for Sexual Assault,
Abuse, and Harassment, Toronto, Ontario
"How to prevent assault and abuse in your organization"
97. 2008 Kenora-Rainy River District Annual Forensic Training,
Kenora, Ontario
"Mental disorder and civil statutes"
98. 2008 Durham Region Counsel/CAS Continuing Education Series,
Whitby, Ontario
"Phallometric testing"
99. 2008 Memorial University Student Services Workshop on
Emergency Preparedness, St. John's, Newfoundland
"A multi-step approach to violence prevention on campus"
100. 2008 OHA/MOHLTC Preventing Workplace Violence
Toronto, London, Ottawa, Thunder Bay, Sudbury
"Violence prevention: a stepwise approach for the employer"
101. 2008 Ontario Crown Attorney's Association
Summer Seminars, London, Ontario
"Sentencing (with Dr. S. Akhtar)"
"Expert testimony"
"Violence and mental disorder"
102. 2008 Nunavut Mental Health Symposium
Iqaluit, Nunavut
"Assessment of the Inuit in Nunavut"
103. 2008 OHA Mental Health and Patient Safety Conference
Toronto, Canada
"Workplace Violence"

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104. 2008 Schizophrenia Update 2008
Toronto, Canada
"Violence Risk Assessment"
 105. 2008 University of Toronto Centre for Industrial Relations and Human
Resources/Lancaster House
Labour Arbitration Conference
Toronto, Canada
"Workplace Harassment" [panelist]
 106. 2009 Alberta Justice Criminal Law Conference
Banff, Alberta
"Dangerous and Long-Term Offenders"
[Invited panelist, with R. Zaied, M. Logan, M. Collinson, G.
Tomljanovic]
 107. 2009 Chief Firearms Officer of Ontario Annual Conference,
Orillia, Ontario
"The DSM-IV-TR and mental disorders"
 108. 2009 Loblaws Western Region HR Conference
Calgary, Alberta
"Workplace violence risk assessment"
 109. 2009 Southlake Regional Hospital Annual Day in Psychiatry
Newmarket, Ontario
"Workplace violence risk assessment"
 110. 2009 Ontario Crown Attorney's Association Summer Seminar
London, Ontario
"Review of paraphilias and sex offender risk assessment"
"Sentencing" [with S. Akhtar]
"Violence risk assessment"
"Mental disorder and violent offending"
 111. 2009 Ontario Hospitals Association: Mental Health and Patient Safety
Toronto, Ontario
"Acute inpatient violence risk assessment"
 112. 2010 Lancaster House Human Rights and Accommodation
Conference, Toronto, Ontario
*"Expanding approaches to workplace harassment: a focus on
Ontario's New Bill 168"* [panellist]
 113. 2010 Conference Board of Canada Council on Emergency Management,
Saint John, New Brunswick
"Workplace violence risk assessment"
 114. 2010 The Cowan Group: Violence and Harassment in the Workplace,
Cambridge, Ontario, and Ottawa, Ontario
"Violence in the workplace: prevalence and case studies"

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115. 2010 Ontario Crown Attorneys Association Summer Seminars
London, Ontario
"Sentencing" [with S. Ahktar]
"Psychosis"
"Paraphilic disorders"
"Risk Assessment"
116. 2010 Ontario Council of Children's Aid Societies
Conference for Counsel
Mississauga, Ontario
"Phallometric testing"
117. 2010 Ontario Shores Centre for Mental Health Sciences, Speaker Series
Whitby, Ontario
"Post-traumatic stress disorder"
118. 2010 Canadian Psychiatric Association Annual Meeting
Toronto, Canada
"Workplace violence risk assessment" [with M. Seto, M. Siu]
119. 2011 KACL Conference on Sexuality in the Developmentally Delayed
Kenora, Ontario
"Risk assessment and management of the mentally retarded sex offender"
120. 2011 Durham Region ACTT conference, Whitby, Ontario
"Violence risk assessment in persons with schizophrenia"
121. 2011 Invited presentation at State Hospital, Carstairs, Scotland
"Least Restraint: the Ontario Shores experience"
122. 2011 Invited presentation, Ashworth State Hospital, England
"Least Restraint: the Ontario Shores experience"
123. 2011 Ontario Shores Speaker Series, Whitby, Ontario
"Treatment of psychological trauma in domestic abuse"
124. 2011 Ontario Crown Attorneys' Association Summer Seminars, London, Ontario
"Paraphilic disorders"
"Sentencing" [with S. Ahktar]
"High risk offenders; risk assessment and management"
125. 2011 Chief Firearms Officer of Ontario Annual Conference,
Orillia, Ontario
"The DSM-IV-TR and mental disorders"
126. 2011 Risk Management of the Aggressive Patient, Whitby, Ontario
"Stalking of mental health professionals"

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127. 2011 Open Minds Across Canada Mental Health Symposium, Whitby, Ontario
"Reflections on research: do mental health courts fulfil their mandate?"
 128. 2012 Grand Rounds, Southlake Regional Centre, Newmarket, Ontario
"Violence risk assessment in persons with schizophrenia"
 129. 2012 Canadian Academy of Psychiatry and the Law annual meeting, Whistler, BC
"Recent Canadian case law: current issues in forensic practice"
[with B. Walker-Renshaw, R. Macri]
 130. 2012 Risk and Recovery, McMaster University, Hamilton Ontario
"Intimacy between consenting inpatient"
"The forensic process: reflections on risk, cost and time"
 131. 2012 Psychiatry Grand Rounds, Lake of the Woods District Hospital, Kenora, Ontario
"An introduction to mental health legislation"
 132. 2012 Ontario Crown Attorneys Association Summer Seminars, London Ontario
"Sentencing" [with S. Akhtar]
"Risk assessment and management of the mentally disordered offender"
 133. 2012 Ontario Provincial Police Training, Kenora, Ontario
"Mental disorders, the Mental Health Act, and Mental Health Courts"
 134. 2012 Mental Health Court training, Kenora, Ontario
"Mental Health Courts: do they work?"
 135. 2012 Open Minds Across Canada, Whitby, Ontario
"Assertive community treatment: what is it, and does it work?"
 136. 2012 2nd Biennial Symposium on Expert Forensic Evidence in Criminal Proceedings, Toronto, Canada
"Ethical dilemmas surrounding experts" [with F. Addario, M. Humphrey]
 137. 2012 Ministry of the Attorney General conference on Aboriginal Justice, Orillia Ontario
"Gladue, Sim, and mental disorder" [with T. Jukes]
 138. 2013 University of Medicine and Health Sciences Special Grand Rounds, St. Kitts, WI
"Factitious disorder and factitious disorder by proxy"

139. 2013 Youth Corrections and Interventions Conference, Whitby, Ontario
"Early manifestations of psychopathy in children and adolescents"
140. 2013 4th National Conference on Aboriginal Criminal Justice, Toronto, Ontario
"Gladue and mental health"[with R. Schneider, B. Restoule]
141. 2013 Consultative Meeting on Forensic Psychiatry and Pathology, Addis Ababa, Ethiopia [conference organizer]
"Crime and mental illness"
"Forensic psychiatric assessment"
"Forensic pathology in Canada [with M. Pollanen]"
142. 2013 The Canadian Forensic Psychiatry Review Course, Toronto, Canada
[also invited panellist]
"Psychopathy and the PCL-R"
"Civil psychiatry pertaining to forensic psychiatry: capacity, civil commitment, and duty to warn [with J. Blackburn]"
"Civil psychiatry: tort law, disability, and causation" [with J. Blackburn]"
143. 2013 Ontario Crown Attorney's Association Summer Seminars, London, Ontario
"Sentencing" [with S. Akhbar]"
"Risk assessment"
"Major mental illness"
144. 2013 Law Society of Upper Canada: Mental Health Issues and the Criminal Law, Toronto, Ontario
"Forensic psychiatry 101: a primer on psychiatric diagnoses and DSM 5"
145. 2014 Grand Rounds, Selkirk Mental Health Centre, Winnipeg, Manitoba
"Intimacy recovery"
146. 2014 CMHA (Kenora) Annual General Meeting, Kenora, Ontario
"Psychiatric Diagnosis and the DSM-5"
147. 2014 The National Symposium on Mental Disorder and Criminal Justice [Osgoode Hall and York University], Toronto, Canada
"Not criminally responsible" [with Madam Justice Forestell, Paul Burstein, and Lyle Hillaby]"
148. 2014 University of Medicine and Health Sciences Special Grand Rounds, St. Kitts, WI
"Psychiatric diagnosis and the DSM-5"

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149. 2014 Ontario Crown Attorney's Association Summer Seminars, London, Ontario
"Sentencing" [with S. Akhbar]
"Risk assessment"
"Major mental illness"
150. 2014 Forensic training program, Addis Ababa University, Addis Ababa, Ethiopia [training organizer, with Justice Schneider]
"Assessment of fitness to stand trial"
"Mental Health Court and Diversion"
"Forensic assessment of criminal responsibility"
"Assessment of malingering"
"Risk assessment and management"
151. 2014 Law Society of Upper Canada Webinar: Mental Health in the Workplace: Challenges and Solutions, Toronto, Canada [with P. Chapman, S. Lamb, and B. Foreman]
152. 2014 Crown Law Office-Criminal Conference, Toronto, Ontario
"Introduction to DSM-5 and violence risk assessment"
153. 2014 National Joint Committee of Senior Justice Officials Conference, Richmond Hill, Ontario
"Violence risk assessment in persons with schizophrenia"
"Mental health court and diversion"
154. 2014 Ontario Shores 6th Annual Mental Health Forum, Toronto, Canada
"Advancing Recovery in mental health care: physician perspectives"
155. 2015 WRHA/HSC Psychiatry Grand Rounds, Winnipeg, Manitoba
"Advancing implementation of a Recovery care environment using technology" [with I. Dawe]
156. 2015 Kenora District Law Association (KDLA), Kenora, Ontario
"Emerging trends in forensic mental health care"
157. 2015 Going "Glocal" for Mental Health: Global Lessons for Local Benefit, Toronto, Ontario
"Human rights and legislation for people with mental health disabilities" [panel Chair]
158. 2015 Spring Ethics Education Event, Selkirk Mental Health Centre, Selkirk, Manitoba
"Intimacy recovery"
160. 2015 Ontario Crown Attorneys' Association Summer Seminars, London, Ontario
"Experts: Assessment of fitness to stand trial, criminal responsibility, and risk"
"Mental disorder and criminal justice: Risk assessment"

161. 2015 IRCS Regional Forum, Kenora, Ontario
"Risk assessment and management in youth"
162. 2015 LSUC Fall 2015 Professional Regulation Training Day
"Responding to challenging persons"
163. 2015 AGHPS 5th Leadership Summit, Toronto, Ontario
"Quality standard for schizophrenia"
164. 2015 Provincial HSJCC 2015 Conference, Toronto, Ontario
"A quality standard for forensic mental health services in Ontario: what matters most?"
165. 2016 2nd National Symposium on Mental Disorder, Toronto, Canada
"The NCR defence 2016: Meeting the challenges of stereotyping and public prejudice" [with G. Trotter, C. McGoey, G. Brodsky]

MEDIA AND PUBLIC ADDRESSES

1. 1993, 1997 Scarborough OAC Law Conference
"The insanity defence"
2. 1994 Friends and Advocates of North York
"Anger management training"
3. 1994 CBC Morningside
"Biological factors in aggression"
4. 1994 Toronto Star
"Anger management for male batterers"
5. 1994 Cityline Rogers Cable 10
"Anger management"
6. 1994 AM 640 Radio
"Anger management"
7. 1994 Fundraiser for Muskoka Home for Battered Women
"The abusive male"
8. 1995 CFRB AM 1090 Andy Barrie Show
"Coping with relatives who become aggressive: strategies for families"
9. 1996 Ontario Friends of Schizophrenics Public Education Forum (series of four lectures)
"Managing aggressive behaviour in persons with schizophrenia"

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10. 1996 Peace Ranch Staff Education Day
"Managing aggressive behaviour in persons with schizophrenia"
 11. 1996 CBC Radio "Later the Same Day"
Discussion on exhibitionism as a paraphilia.
 12. 1997 Schizophrenia Society of Ontario
"Managing aggressive behaviour in persons with schizophrenia"
 13. 1997 Mood Disorders Association of Ontario
"Anger Management"
 14. 1997 CBC Metro Morning
"Mentally disordered individuals and public safety"
 15. 1997 Discovery Channel
"Anger management training"
 16. 1997 Globe and Mail
"Urban rage"
 17. 1998 Studio 2, TV Ontario
"Religious conversion in inmates"
 18. 1998 Jane Hawtin Live
"Anger management in the workplace"
 19. 1998 CTV W5
"Mentally disordered individuals and public safety"
 20. 1998 CBC Metro Morning
"Mentally disordered individuals and public safety"
 21. 1999 CBC News
"False allegations of sexual assault"
 22. 1999 CBC National Magazine
"Child pornography"
 23. 1999 Globe and Mail
"Psychopathy"
 24. 2000 CBC The Fifth Estate
"Psychopathy"
 25. 2001 Exhibit A
Discussant on narcissistic personality disorder and violent offending
 26. 2007 CBC Radio Winnipeg
Discussant on pharmacological sex drive reduction

27. 2009 CBC Newsworld, Canada AM, Globe and Mail
"Not criminally responsible"
28. 2010 CBC Metro Morning/Radio Canada/Canwest Global
"Smoke free workplace"
29. 2012 CBC Radio Winnipeg
"Criminal responsibility"
30. 2012 CBC Metro Morning
"Narcissism"
31. 2012 Canada AM
"Proposed changes to the criminal code"
32. 2014 The Agenda (TV Ontario)
"NCR"

COURSE DESIGN

- 1998 - Psychiatric interviewing for medical students, Centre for Addiction and Mental Health/University of Toronto
- 1999 -2002 Toronto Advanced Professional Education Series/Faculty of Social Work/St. Michael's College, University of Toronto
Risk assessment and management
Anger Management and sex offender treatment training program

TEACHING

- 1989 - Teaching in Psychiatry,
Faculty of Medicine, University of Toronto
Clinical clerk, PGY-5, and resident core curriculum teaching and supervision.
ASCM II Course
OSCE Examiner
Psychiatry Institute presenter
- 1990 Faculty of Rehabilitation Medicine,
University of Toronto,
Guest lecturer in psychiatry on "Psychiatric Diagnosis"
- 1992 -1995 Faculty of Arts, Department of Psychology,
University of Toronto
Guest lecturer on "Intermittent Explosive Disorder"
- 1994 Faculty of Law, University of Toronto
Guest Lecturer
- 2000 – 2001 The Difficult Patient, Centre for Addiction and Mental Health
Guest Lecturer on antisocial personality disorder and psychopathy

- 2000 FORENS teaching in mental disorder and the Criminal Justice System
Centre for Addiction and Mental Health
- 2000 -2006 Department of Occupational Medicine, University of Toronto (co-developer
of learning objectives and curriculum). Supervisor to:
- Dr. Ron Dykeman (resident) 2000
 - Dr. Joan Saari (fellow) 2001 – 2002
 - Dr. Bruce McGovern (resident) 2001 – 2002
 - Dr. Roohi Qureshi 2001 – 2003
 - Dr. Ahmed Almusead - 2005
 - Dr. Sean Somerville – 2006
- 2001 Guest Lecturer
Department of Family Medicine, McMaster University, Thunder Bay,
Ontario
- 2002 Forensic Mental Health for Practicing Professionals.
Law and Mental Health Program, Centre for Addiction and Mental Health
- 2003 Toronto Police Service Advanced Patrol Training
"Adolescent suicide".
- 2009- Guest Lecturer
Graduate Department of Nursing Science, University of Toronto
"Aboriginal mental health: assessment and treatment"
- 2012- Guest Lecturer
Forensic Pathology subspecialty residency training program
"Overview of forensic psychiatry"
- 2013- Guest Lecturer
Faculty of Law, University of Ottawa
"Assessment of criminal responsibility"
- 2013- Guest lecturer
Faculty of Law, York University
"Assessment of criminal responsibility"

ELECTIVE STUDENT SUPERVISION

University of Toronto Students unless otherwise indicated.

- 1994 Dr. Cynthia Fu (resident)
- 1995 Dr. Andy Cheok (resident)
- 1997 Dr. John Langley (resident)
Dr. Marie-Claude Guimond (resident)
John Gray (medical student, Queen's University)
Dr. Jeff McMaster (resident)

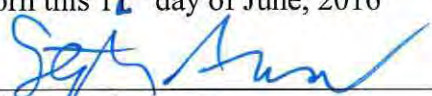
1998	Dr. Michael Colleton (resident) Dr. Sam Law (resident) Elizabeth Jones (medical student) Nadia Belej (medical student) Henri Brisson (medical student, McMaster University)
1999	Dr. Adam Quastel (resident)
2000	Dr. Anna Skorzewska (resident) Dr. Maurice Siu (resident) Dr. Patricia Wiebe (resident) Dr. Adam Waise (resident) Susanna Yanivker (medical student, University of Western Ontario)
2001	Dr. Brian Guan (resident) Dr. Alec Oskin (resident) Dr. Nishka Vijay (resident) Dr. Sumeeta Chatterjee (resident) Dr. Carla Garcia (resident)
2002	Robert Geisler (medical student) Dr. Brian Guan (resident) Dr. Treena Wilkie (resident) Dr. Hance Clarke (resident) Dr. Anna Rogers (resident)
2003	Dr. Michael Tsai (resident) Susan Scarrow (medical student, University of Western Ontario) Maitheli Shetty (medical student, University of Western Ontario) Dr. Treena Wilkie (resident)
2004	Jennifer Russell (medical student, McMaster University) Dr. Craig Beach (resident) Dr. Stuart Lax (medical student, University of Toronto) Dr. Alina Iosif (resident) Vicky Sandhu (medical student, University of Toronto) Donna Kim (medical student, University of Toronto)
2005	Dr. Mark Pearce (resident) Robert Renwick (medical student, University of Toronto) Dr. Felix Kreichman (resident) Joanna Mansfield (medical student, University of Toronto) Dr. Susan McKenzie (resident)
2006	Daniel Saul (medical student) Dr. Nathan Kolla (resident) Dr. Andrew Lustig (resident) Leslie Wong (medical student, University of Western Ontario) Dr. Steven Cohen (resident, McGill University)

2007	Sara Temple (medical student) Nicole Koziel (medical student) Dr. Andrew Morgan (resident) Dr. Rob McMaster (resident) Dr. Leslie Wong (resident)
2008	Sarah Weston (medical student), King's College, United Kingdom Dr. Leslie Wong (resident)

FELLOWSHIP SUPERVISION

1997-1998	Fellowship supervisor (Dr. S. Woodside)
1998-2000	Fellowship supervisor (Dr. A. Brunet)
2000-2001	Fellowship supervisor (Dr. Z. Waisman)
2008-2009	Fellowship co-supervisor (Dr. A. Iosif)
2009-2010	Fellowship co-supervisor (Dr. S. Cohen)
2012-2012	Fellowship supervisor (Dr. Asnake Awoke)

This is **Exhibit "B"** referred to
in the Affidavit of Service of
DR. PHILIP KLASSEN, *qs*
sworn this **17th** day of June, 2016



A Commissioner etc.

Philip E. Klassen, M.D., FRCP(C)
Practice in Forensic Psychiatry

Vice-President, Medical Affairs
Ontario Shores Centre for Mental Health Sciences
Assistant Professor, Departments of Psychiatry and Medicine
University of Toronto

31 May 2016

Ms. Chantelle Blom
 Counsel, Ministry of the Attorney General
 Crown Law Office Civil
 720 Bay Street
 8th Floor
 Toronto, Ontario
 M7A 2S9

Dear Ms. Blom:

Reference: Crown Ward litigation (*Papassay et al v. HMO*)

You've provided me with the Fresh as Amended Statement of Claim in this matter, dated January 22nd, 2014, along with the Notice of Motion dated February 4th, 2016, and the Affidavits of five representative Plaintiffs. I understand that the claim is not for damages for the tortious acts themselves, but for an alleged breach of the Crown's duty to seek compensation for the class members' ability to seek compensation themselves. You've asked me to review this information, and respond to the following three questions:

- A. Is it possible to determine the damages sustained by the entire class of Crown Wards without proof of damages suffered from individual class members?
- B. Is it possible to determine damages that a Crown Ward may have suffered without proof by, or assessment of, the individual class member?
- C. What factors should be taken into consideration when determining what damages the class member may have suffered?

I'll provide a very brief overview of the material, then provide you with my opinion.

I'm a medical doctor with a specialty in psychiatry, and a subspecialty in forensic psychiatry; I am on the Royal College of Physicians and Surgeons subspecialty register, as a forensic psychiatrist. I completed two years of additional training in forensic psychiatry, understood to be the assessment of mental disorder, and the impact/outcome of that mental disorder(s) in third-party contexts, including with respect to all of criminal and civil proceedings, regulatory body

proceedings, labour arbitration, etc. I'm an Assistant Professor at the University of Toronto, in the Law and Mental Health Program (the Forensic Psychiatry Program) and have been involved in forensic work for the past approximately twenty-two years. I spent more than a decade as the chief of the medical staff, and the head of the education program, at the University of Toronto forensic psychiatry program. I also work in the Traumatic Stress Clinic at Ontario Shores Centre for Mental Health Sciences, and am a Claimant Assessor for the Indian Residential Schools Adjudication Secretariat. Details can be found in my CV.

The **Fresh as Amended Statement of Claim dated January 22nd, 2014** alleges that the Defendant failed to protect Crown Wards' right to recover compensation regarding criminal or tortious acts. It is said that Crown Wards were a very vulnerable group, who were subject to abuse and/or neglect, as children and Crown Wards, thus they could have applied to the CICB or commenced civil actions. The proposed class is all Crown Wards from January 1st, 1966. It is claimed that the Crown failed to protect evidence and to advise the proposed class members regarding opportunities for compensation, including statutory limitations. It is claimed that as a result, there have been long delays for payment, or no payment due to the time elapsed, or lack of evidence. There are five persons who have agreed to be representative Plaintiffs.

The **Plaintiff Affidavits** include those of Holly Papassay, Toni Grann, Robert Mitchell, Dale Gyselink, and Lorraine Evans. All indicate that they were Crown Wards, and were abused and/or neglected prior to, and during, Crown Wardship. The scope and scale of the reported abuse, from an objective perspective, varies considerably.

I'll now attempt to respond to each of your questions in turn.

A. Is it possible to determine the damages sustained by the entire class of Crown Wards without proof of damages suffered from individual class members?

It is claimed that the former Crown Wards suffered abuse and/or neglect (thus trauma).

I will use the diagnosis of Post-Traumatic Stress Disorder (PTSD) as a proxy for a negative psychological (and functional) outcomes of trauma, recognizing that actual outcomes of trauma can include various diagnoses.

Epidemiological studies of PTSD indicate that a majority of adults will have been exposed to a traumatic stressor, lifetime, that could meet DSM criterion A (traumatic event), and commonly more than one such trauma. However, only a minority of those persons will go on to develop PTSD, and only a small minority will develop lasting or chronic PTSD; many persons with PTSD will experience symptom diminution or remission over time (months to years). This tends to be true even in high risk groups (combat veterans, persons in war zones, refugees etc). This may not take into account sub-syndromal (subthreshold) symptom burden (which may in turn also affect function).

As a result of this observation, it is felt that persons will demonstrate differing degrees of risk and resilience, as regards post-traumatic symptoms. In other words, there are individual differences that affect outcome.

Research has identified that certain variables, or markers, may associate with risk for lasting symptom burden, and with resilience. These may be broadly divided into pre-trauma factors, trauma-related factors, and post-trauma factors. These include psychosocial, and biological/genetic factors.

In terms of pre-trauma factors, female gender, younger age, lower education and socio-economic status, lower intelligence, and racial/minority status appear to associate with greater risk of an adverse outcome to trauma, albeit the effect size of each is quite modest. The same is true of pre-existing mental health difficulties, and prior trauma exposure.

In terms of trauma-specific factors, there is a loose dose-response relationship between the severity of the trauma (intrusiveness, duration) and negative outcome. There is a stronger relationship between peri-traumatic dissociation and negative outcome. Sexual abuse, and direct aggression are more likely to produce negative outcomes than vicarious traumatization or neglect, typically.

In terms of post-traumatic factors, cognitive/coping style is relevant. Additional life stressors, and low social support also contribute to negative outcome; larger effect sizes have been reported for these variables. Put another way, in terms of longer term outcome, it makes sense to differentiate between risk factors for development of a negative outcome, and perpetuation of negative outcome.

Research has further suggested that 30-50% of the variance, as regards outcome, results from genetic factors (there is a range in available studies), further suggesting that there are real individual differences in how persons respond to trauma, and that these differences are not always easily identified, even with evaluation of the victim, *post hoc*.

To summarize, it is improbable that all of a class of persons will experience a marked and lasting negative outcome (using PTSD as a proxy for negative outcomes) from a given event or series of events, in all but the most severe and sustained situations. Individual differences in outcome are significant, and *post hoc* events are particularly important in longer term outcomes. Individual differences and *post hoc* factors cannot be addressed looking at class membership alone. An individual assessment of each class member would be required.

B. Is it possible to determine damages that a Crown Ward may have suffered without proof by, or assessment of, the individual class member?

Please see my comments above, in particular the last paragraph above. In my opinion, no.

C. What factors should be taken into consideration when determining what damages the class member may have suffered?

The factors to be considered are those articulated in my response to question A (factors affecting trauma outcome), above. This list is not exhaustive, however, and there may be other factors, in specific cases or specific circumstances, that are salient to issues of resilience and outcome; this could potentially, given the number of class members, and the scope of individual differences, be a very large list.

An assessor should have extensive information regarding family function, and pre-Wardship behavioural and psychological adaptation. The assessor should have the Crown Wards' CAS and school records. As well, there would need to be detailed information about Crown Wards' psychological and behavioural adaptation, in multiple domains, as adults. There should be information regarding their psychological status, further education, employment function, parenting function, sexual function, and relationship function. This information could come from various sources, including their self-report, the reports of others, and mental health/employment/education records, along with other records as might be applicable in particular cases.

I trust that this report is of some assistance to you. If there are any questions, I would be pleased to try to answer them, and I am available at (416) 578-8130 (cellular telephone), or by e-mail at philip.klassen.forensic@gmail.com.

Respectfully submitted,



P. Klassen, M.D., FRCP (C)
Assistant Professor,
Departments of Psychiatry and Medicine,
University of Toronto

HOLLY PAPASSAY, et al.

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ONTARIO

Plaintiffs/Moving Parties

-and-

Defendant/ Responding Party

ONTARIO

SUPERIOR COURT OF JUSTICE

Proceeding commenced at **TORONTO**

AFFIDAVIT OF DR. PHILIP KLASSEN
(Sworn June 11, 2016)

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Ananthan Sinnadurai (LSUC No.: 60614G)

Tel: (416) 314-2540

*Counsel for the Defendants,
Her Majesty the Queen in right of Ontario*

HOLLY PAPASSAY et al.

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF ONTARIO, et al.**

Plaintiffs/Moving Parties

Defendant/Responding Party

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT
THUNDER BAY

**VOLUME VI OF VI: MOTION RECORD OF THE
DEFENDANT, HER MAJESTY THE QUEEN IN
THE PROVINCE OF ONTARIO**

(Motion for Certification, returnable January 24, 2017)

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*Counsel for the Defendant, Her Majesty the Queen
in right of the Province of Ontario*