

**CRIMINAL INJURIES  
COMPENSATION BOARD**



**32nd  
ANNUAL REPORT**

**April 1, 2005 to March 31, 2006**



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## **Mandate**

*The Criminal Injuries Compensation Board is a quasi-judicial administrative agency that awards compensation to victims of crimes of violence that occurred in Ontario.*

## **Vision**

*The Board provides a fair, caring and sensitive forum for victims to be heard.*

## **Guiding Principles**

*The Board ...*

- ✓ Recognizes the diversity of the people of Ontario and has a commitment to improve awareness and understanding of, as well as access to, our services*
- ✓ Provides compassionate, sensitive, patient and fair services*
- ✓ Promotes open, honest, clear communication*
- ✓ Commits to a professional manner and to appropriate training to be helpful and informative*
- ✓ Strives for excellence by continually improving our services*
- ✓ Builds a work climate of courtesy, respect and trust*



# Message from the Chair

March 31, 2006

I am pleased to continue the tradition of providing information to the public regarding the Board's processes and procedures. The value of work and the results delivered by staff implementing the *Compensation for Victims of Crime Act* are evident in the 2005/06 annual report.

My message this year focuses on the successful launch of our new Website. In December 2005 the Criminal Injuries Compensation Board went 'live' with its new website, designed to provide detailed information about the Board and its processes (including previous annual reports) and links to relevant legislation as well as to provide up-to-date information about "what's new" at the Board. Until the website, the only way for the public to learn more about the CICB or for an applicant to access information regarding the process used to determine eligibility and potential compensation was by calling the Board. This project has been widely and positively received and the Board is proud to be part of the Modernizing government initiative. People from Ontario as well as all over the world have been accessing and benefiting from the site.

We have received visits from as far away as England, France, Germany, Ireland, Singapore, and Australia (to name a few). Since its launch until March 31, 2006, the site has had 6,076 unique visitors. The most popular pages viewed were related to eligibility, legislation, the type of compensation the Board may provide, as well as new events at the Board. In addition, an email address has been posted on the website which has expanded our communications with the public. We received and responded to 77 emails over 4 months.

The Board is proud of its staff and proud of the tradition of service excellence that has developed since the enactment of the *Compensation for Victims of Crime Act* in 1971. Through this program, the Board supports people in their rehabilitation - to go from victim, to survivor, to thriver.

Yours truly,



# History of the Board

## 1967

The first provincially managed program for victims was the *Law Enforcement Compensation Act (LECA)*. This Act provided compensation to peace officers, primarily police and firefighters, for injuries resulting from criminal acts. The maximum compensation available was \$10,000.

## 1971

At the instigation of peace officers, the *Law Enforcement Compensation Act* was repealed and replaced with the *Compensation for Victims of Crime Act (CVCA, 1971)*, creating the Criminal Injuries Compensation Board (CICB). The *Act* was designed to provide compensation to any victim of a violent crime committed in Ontario. The maximum compensation was increased to \$15,000.

## 1986

The maximum lump sum compensation increased to \$25,000 and the maximum total Periodic awards were increased to \$250,000.

## 1996

The Case Management System (CMS), was introduced to help facilitate the electronic tracking and processing of claims.

## 2000

The CVCA was amended. Changes included: an increase to the timeframe for when a claim can be made from one year to two years after the date of the injury or death; an increase to the maximum amount for periodic payments to \$365,000; the availability of interim payments to be made at the discretion of the Board in respect of support, medical and funeral expenses irrespective of the claimant's financial situation.

## 2003/04

Implementation of accrual accounting principles starting with 2003/04 fiscal year required that periodic awards granted in the current fiscal year be accrued for the next 20 years or their full life, whichever comes first.

## 2005

In December 2005, the CICB launched its website [www.cicb.gov.on.ca](http://www.cicb.gov.on.ca). The objective of the project was to create a tool that would provide stakeholders with information about the Board's processes and links to relevant legislation and other resources. Previous annual reports can be downloaded and printed from the website. The site gets about 2,500 hits a month. For general inquiries and feedback, the Board can be contacted by email at [info.cicb@jus.gov.on.ca](mailto:info.cicb@jus.gov.on.ca).

# Board Members

The composition of the Board is intended to reflect the diversity of Ontario's population and its various regions. More detailed Biographies are provided in Appendix A of this document.

## Chair

Marsha Greenfield  
North Bay, July 1996 - present

## Vice-Chairs

William Liber  
Toronto, March 1996 - present

Anne Stanfield  
Ottawa, November 1973 - present

## Board Members

Marion Boyd  
London, October 1999-present

Willson McTavish  
Mississauga, February 2003-present

John Brothers  
Kitchener, June 2005-present

Elaine Newman  
Toronto, November 2005-present

Max Dokuchie  
Ottawa, June 2005-present

Stanley Newman  
Toronto, June 2005-present

Susan Hunt  
Toronto, June 30, 2000-present

John R. Radmore  
Manotick, February 2004-present

Paula Klein  
Toronto, November 2004-present

Sharon A. Saunders  
Guelph, October 2002-present

Stephen Leach  
Toronto, May 2003-present

Gail Scott  
Toronto, December 1998-present

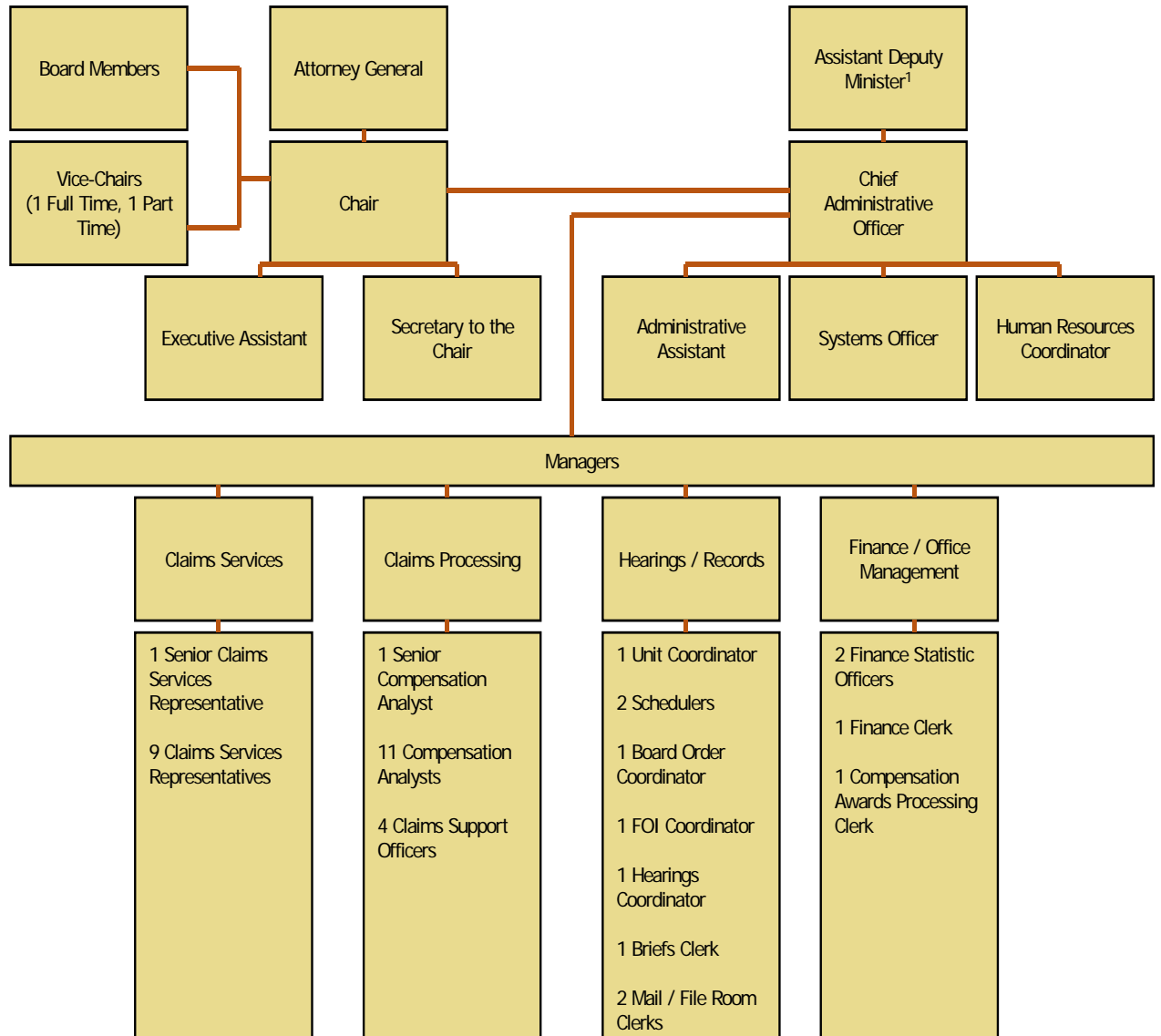
Ronaq Massey  
Mississauga, April 1999-present

Atam Uppal  
Toronto, November 2005-present

*"...I am very appreciative and grateful to the Board. All I need to say is Thank you ..."* -stakeholder

# Organizational Chart

*"...I found the Board to be exceptionally compassionate and understanding. I would recommend any woman that has gone through similar circumstances as me to apply. The Board made me feel very comfortable and at ease through the whole process. I thank you ..."* -stakeholder



1. Ontario Victim Services Secretariat

*"...I have a little closure now. Thank you ..."* - stakeholder

# Financial Summary

## Funding of the Criminal Injuries Compensation Board

The funds allocated for the awards and operating expenses to the Criminal Injuries Compensation Board come from the Consolidated Revenue Fund. Awards are transfer payments that go directly to the victims; operating expenses reflect the cost of administering the program.

The number of claims received by the Board continue to increase while operating expenses remain the same. In 2002/03 and 2003/04, \$1.6 million was allocated from the Victim's Justice Fund (VJF) to manage this pressure. In 2004/05 a further \$6.5 million was requested from the VJF to cover the continued increase in the number of awards, the pressure of processing an increased number of awards, an increase in the average awards and the accrual accounting requirements.

The financial information below is presented on a cash basis for consistency purposes. The accrual basis for accounting was introduced in 2003/04 when the Board accrued payments for victims that received periodic awards. This resulted in accruing awards for 230 active claims for a period of 20 years. The impact on expenditure was approx \$23.5 M. This change in accounting resulted in a fiscal pressure due to the new periodic awards.

In 2005/06, the Board processed \$18.3M in transfer payments. The number of periodic awards terminated in this fiscal year outnumbered the number of periodic awards granted, resulting in a \$1.3 M (approximate) credit to expenditure, bringing spending to \$17 million (accrual basis).

### Cash Basis (\$'000s)

	Allocated Budget	Total TP Expenditure	Total Operating Expenditure	Total Expenditure
2001 / 02*	18,767.7	16,715.2	3,370.1	20,085.3
2002 / 03*	20,366.8	13,845.5	3,883.3	17,728.8
2003 / 04	20,345.5	17,676.3	3,827.5	21,503.8
2004 / 05	20,345.9	21,096.24	3,484.0	24,580.2
2005 / 06	20,443.3	18,337.68	3,542.2	21,879.9

\*Years affected by labour disruption

### Accrual Basis (\$'000s)

	Transfer Payments on accrual basis
2003 / 04	41,157.47
2004 / 05	22,577.40
2005 / 06	17,001.97

# Operational Summary

A number of activities must happen in order to process a claim. Staff at the Board communicate with the claimants via phone and email, issue claim packages and extension requests, data enter returned forms into an electronic tracking system, gather evidence from police and treatment providers in support of the claim, schedule hearings, and finally, process and record the Board Member's decisions, and if applicable, process the award.

The following are a few statistics that demonstrate the volume of work the Board managed in 2005/06. Since last year, the Board's operating expenses have remained consistent.

<b>Number of Phone Calls</b>	<b>34,641</b>
<b>Number of Unique Visitors to the Website <sup>1</sup></b>	<b>6,076</b>
<b>Number of E-mails <sup>1</sup></b>	<b>77</b>
<b>Total Number of Claims Sent Out</b>	<b>6,413</b>
Number of Claim Packages Sent Out	5,017
Number of Extension Requests Sent Out	1,396
<b>Total Number of Claims Returned <sup>2</sup></b>	<b>3,838</b>
Number of Claim Packages Returned	2,908
Number of Extension Requests Returned	930
<b>Number of Hearings Held <sup>3</sup></b>	<b>2,840</b>
<b>Number of Awards Processed <sup>4</sup></b>	<b>2,321</b>
<b>Number of Claims Denied (at the Hearing)</b>	<b>241</b>
<b>Average Award</b>	<b>\$6,815</b>

NOTES:

1. Since the launch of the website, December 2005
2. The total number of claims returned in any given year include claim packages returned that were issued in the current fiscal year as well as in previous years. It often takes time for an individual to complete the forms and submit their package to the Board, and this delay sometimes overlaps fiscal years
3. The number of hearings held includes hearings held for interim payments (Section 14), lump sum and periodic awards, variations (Section 25) and annual reviews for periodic payments
4. Multiple awards may be processed for one hearing and therefore these numbers do not total the number of claim packages received or the number of hearings held. An individual may receive an interim award and/or variation award in addition to the lump sum and / or periodic award made at the hearing

# Program Overview

## Overview

The Criminal Injuries Compensation Board is a quasi-judicial administrative agency committed to serving the public by providing compensation to innocent victims of crimes of violence which have occurred in the Province of Ontario. It is governed by the *Compensation for Victims of Crime Act*, R.S.O., 1990, c. C.24 and is subject to the *Statutory Powers Procedure Act* and the *Freedom of Information and Protection of Privacy Act*.

## Who is Eligible for Compensation?

- Individuals who have been injured as a result of a crime of violence committed in Ontario. Examples of a criminal code offence include assault, sexual assault, criminal harassment, etc. Injuries received from a motor vehicle accident (hit and run or drunk driving) are excluded under the *Act*, unless the vehicle is used as a weapon
- Individuals that are responsible for the care of a victim of crime and suffered a loss of income or had expenses as a result of the victim's injury or death
- Individuals who are the dependant of a deceased victim (in the case of murder)
- Individuals that were injured while trying to prevent a crime or while helping a police officer make an arrest

Individuals making a claim **do not** need to be a resident of Ontario, Canada to apply.

## The Board does not award compensation for the following items:

- Damaged or stolen property
- An accident involving a motor vehicle (i.e. drunk driving or hit and run)
- Legal fees for criminal court and/or civil suits
- Distress of attending criminal court
- Workplace accidents (claim should be filed with the Workplace Safety and Insurance Board)

## Making a Claim

All claims must be filed with the Board **within two years** from the date of the incident. Though, in certain circumstances, this time limit may be extended, as determined by the Board. An Extension request (per Section 6) must be made and approved in order to move the claim forward.

A parent, guardian, legal representative or other responsible adult must be the one to make an application on behalf of a victim under 18 years of age.

In assessing compensation, the Board will consider if the victim's behaviour caused or contributed to the injury or death, if the victim reported the incident promptly to the police and cooperated with any investigation and if the victim has received any benefits, compensation or indemnity paid by private insurance, the Workplace Safety and Insurance Board (WSIB) or any other source. This does not include Ontario Works (OW) or the Ontario Disability Support Program (ODSP).

# Types of Compensation Available

Where adequate proof exists, the Board may award compensation for the following:

- **Pain and Suffering:** may be awarded to a victim of a violent crime. Awards are based on the degree of violence involved in the incident; the seriousness of the injuries sustained; the recovery period and the possibility of a continuing disability as well as other factors depending upon the case.
- **Treatment – Medical, Dental and/or Therapy Expenses:** this includes ambulance fees, eyeglasses, prescriptions; treatment required to bring teeth back to the pre-injury condition; or sessions provided by an accredited therapist as a result of the incident. Only expenses not payable by any other source can be considered.
- **Funeral and Burial Expenses:** this includes the cost of a funeral director, clergyman, casket, cemetery plot, grave marker, newspaper notices, death and birth certificates. The maximum award for these expenses is \$9,000.
- **Legal representation and costs:** may be considered if a lawyer assists with a claim to the Board, but not for attending a Board hearing or any other court proceedings.
- **Travel Expenses:** may be considered if the victim must travel outside of the city where he/she lives to receive treatment or to attend a Board hearing.
- **Income Loss:** may be awarded to the victim (or a person responsible for the care of a victim) who is unable to work because of injuries arising from the incident. The maximum award is \$250 per week. Any benefits received from other sources will be considered and possibly deducted from this amount.
- **Loss of Support:** may be awarded to the dependants who relied on the deceased victim for financial support at the time of the crime. The Board requires proof of previous financial support to make this kind of award.

*“...the members of the CICB were very nice and understanding. I was nervous at first but that changed very quickly after the hearing started. I cannot remember the names of the panel members [a man and a woman] but they were the nicest people that I've ever had the privilege to meet. I can't thank them enough for their help and understanding. They made this very easy for me. I wish to thank them again for their help and service. It was greatly appreciated and they will always be well thought of and respected in my thoughts. Thank you again ...” -stakeholder*

# Applying to the Board

## How to Apply for Compensation

Claim packages are available through the Criminal Injuries Compensation Board (CICB).

The Board can be contacted:

By phone: toll-free #1-800-372-7463  
locally (GTA) #416-326-2900

In writing: Criminal Injuries Compensation Board  
439 University Avenue, 4th Floor, Toronto, Ontario, M5G 1Y8

## What Happens Next

Upon initial contact, CICB staff will gather general information about the incident and the applicant including name, address, date of birth, and details of the incident. A claim package will then be mailed to the applicant to complete. In this package the applicant is asked to provide more details about their claim and to return the completed package to the Board. A Claim Services Representative (CSR) will review the package and enter the information into an electronic case management system. If all necessary information is complete, the claim will be moved to the next step; if information is missing, the CSR will follow up with the applicant until all information is complete. The file is then assigned to a Compensation Analyst. The role of the Analyst is to verify the information provided and to gather any other necessary information, such as outstanding police and medical reports. The Board depends on the applicant to provide a complete package, and the submission of incomplete packages may result in a processing delay. In addition, it can take time to gather police and medical reports as police services and hospital records departments are overloaded with requests. In order to facilitate the process, the Board pays for all hospital records and medical, dental and therapy reports that are required to process the claim for compensation.

## The Hearing

When the file is complete and all relevant documentation has been submitted, the file is scheduled for a hearing. After the hearing takes place, it takes a minimum of 20 weeks for the Board to process and release a written decision.

## Awards

The Board may order one of the following types of awards:

- Lump Sum Awards: the amount is up to \$25,000 per incident; maximum award to all applicants in respect of any one occurrence will not exceed \$150,000
- Periodic Awards (monthly payments): the amount is up to \$1,000 per month and will not exceed a total of \$365,000 for all applicants in respect of one occurrence
- Interim Awards (*Sec. 14 of the Compensation for Victims of Crime Act*): the Board may in its discretion order interim payments to the applicant in respect of support, medical expenses and funeral expenses
- Variation Awards (*Sec. 25 of the Compensation for Victims of Crime Act*): the Board may vary an order for payment of compensation based on a change of circumstances for the victim. The processing of the variation claim follows the same steps as outlined for an initial application

# The Hearing Process

Hearings are held to enable the Board to determine whether the claimant has been the victim of a crime of violence resulting in injury and, if so, to determine the amount of compensation to be awarded (if any).

## The Hearing Panel

The Chair of the Board appoints one or two Board members to serve as a hearing panel and, in the case of two-person panel, appoints one of the panel members to serve as Chair of the hearing.

## Types of Hearings

The Board determines the type of hearing. A hearing can be either written or oral. An oral hearing can be either in person or electronic.

If the hearing is **written**, parties do not attend. One Board Member makes a decision after reviewing the supporting information on file.

For **oral** hearings, parties are required to attend. Two Board Members will conduct the oral hearing, which is open to the public except when it involves allegations of a sexual offence, domestic violence or child abuse. In these cases it would generally be closed to outside observers. If the hearing is electronic, the applicant attends at the location where the Board is sitting and the Offender/Alleged Offender with their witnesses attend via teleconference at another location.

**Review** hearings are held when the applicant does not agree with the decision made by a single Board Member. These are scheduled before a two-member Panel (oral hearing), pursuant to Section 10 of the *Compensation for Victims of Crime Act*.

**Appeals** can be made **only on a point of law** (not on award amount) to the Superior Court of Justice, Divisional Court within 30 days of receiving the Order. Appeals can be made when a two Board Member panel makes a decision about the claim and the claimant believes that not all aspects of the incident / injury were taken into consideration.

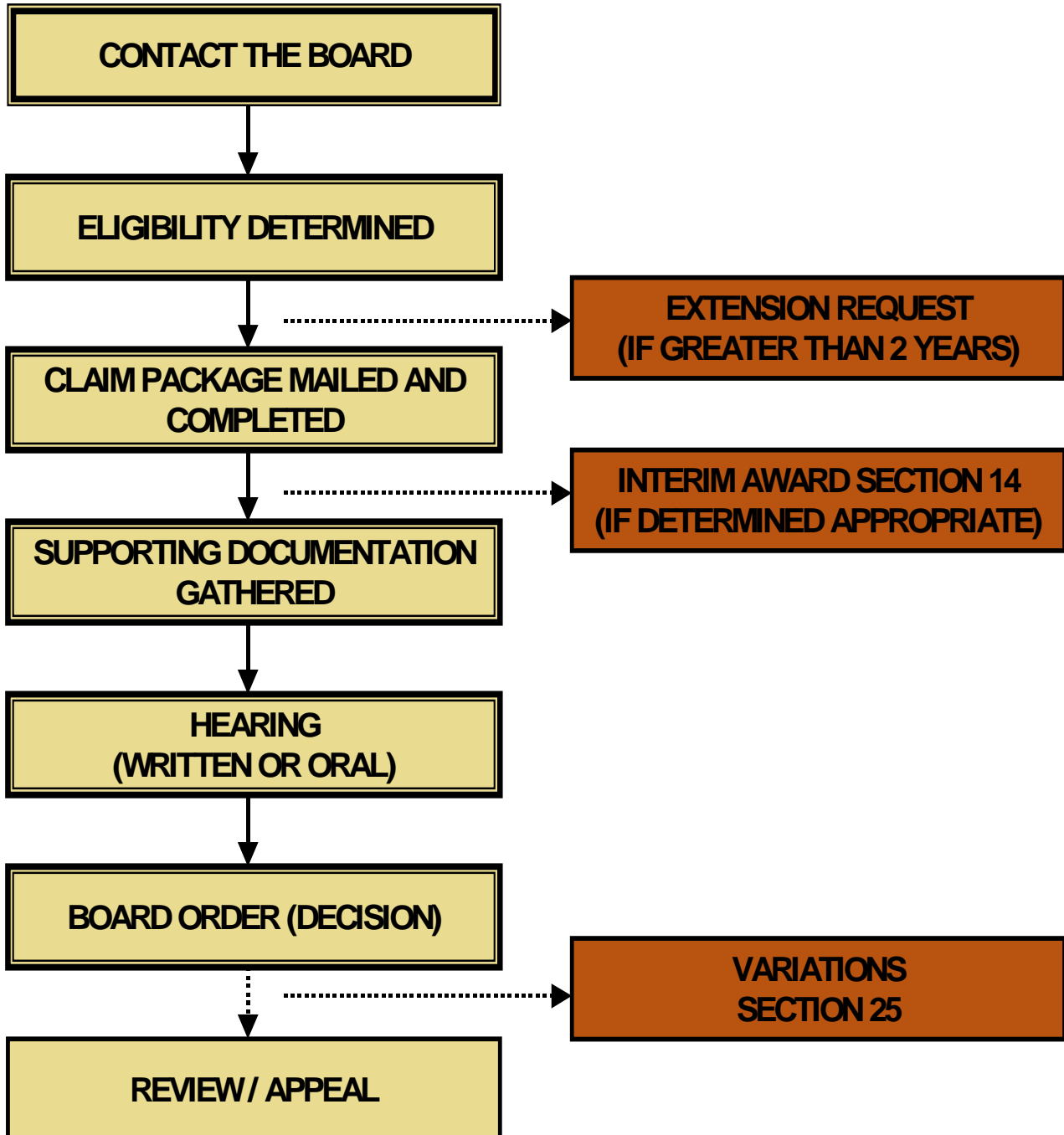
## Process

The Board requests that claimants provide all relevant information and documentation before the hearing. The Board will accept any evidence (written or oral) relevant to the application. The hearing is informal and claimants do not need a lawyer to present their case. If a lawyer has been assisting the claimant through the application process, the lawyer will be a party at the hearing. The claimant may bring a support person, but only if the Board is notified in advance. Interpreters will be arranged by the Board if required by the claimant.

## Decisions

Written decisions should be received by the applicant no sooner than 20 weeks following the hearing. Information about the decision cannot be provided over the telephone. The Board's written decision and award cheque, if any, will be mailed to the last known address or can be picked up in person (if the Board is notified in advance).

# Overview of the Process





# **STATISTICS**

## **THREE-YEAR TRENDS**

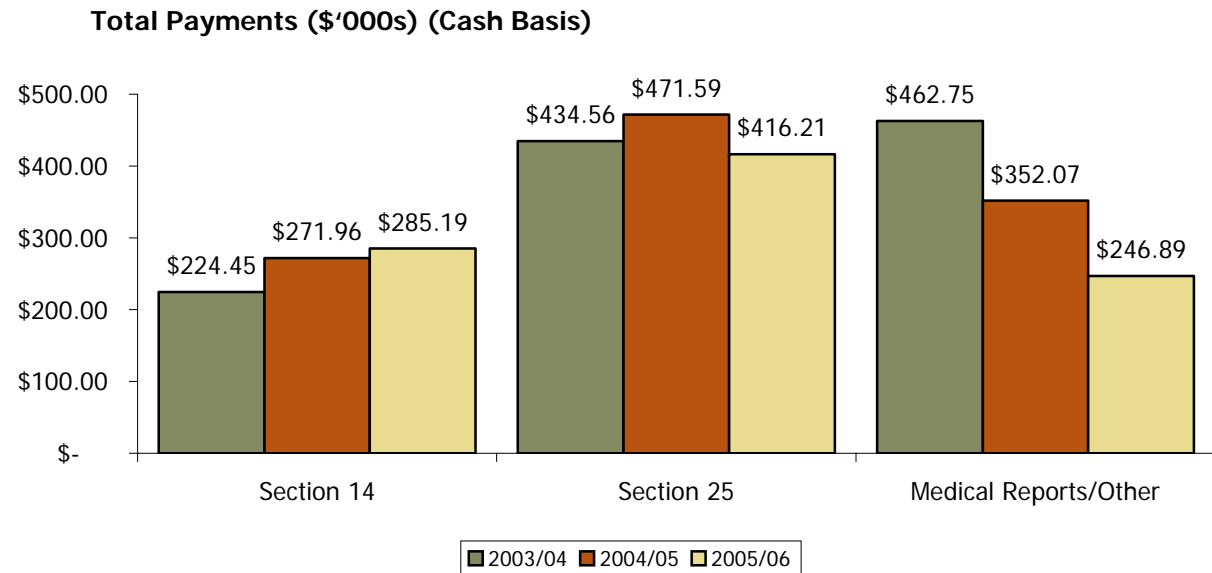
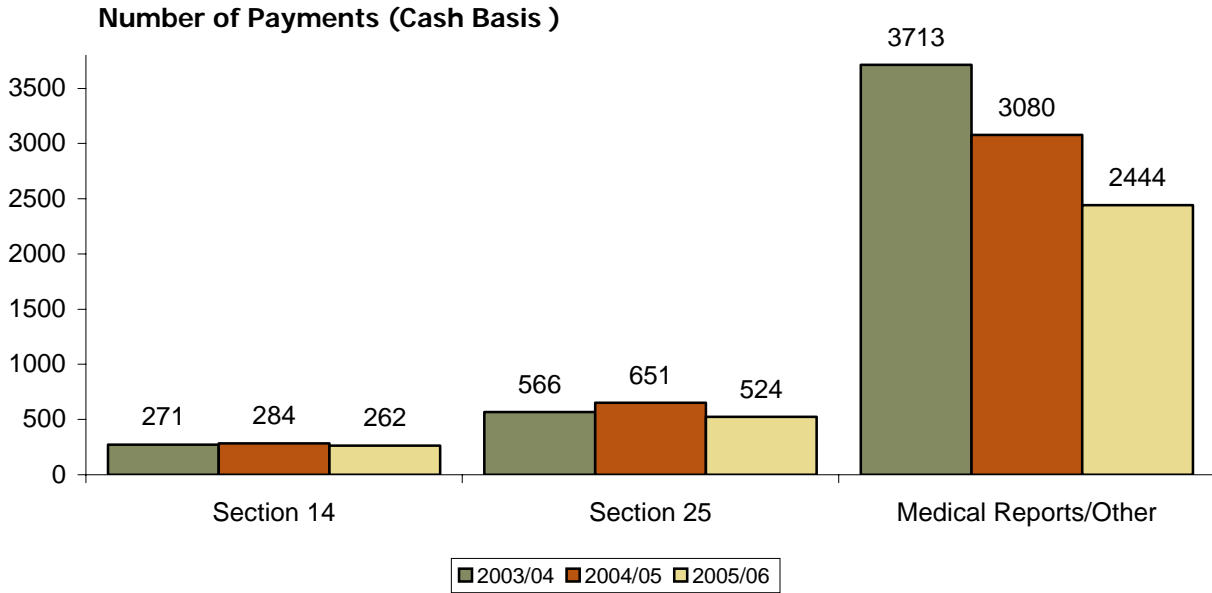
# 3-Year Operational Summary

	2003/04	2004/05	2005/06
Number of Phone Calls	39,260	33,920	34,641
Number of Unique Visitors to the Website <sup>1</sup>	n/a	n/a	6,076
Number of E-mails <sup>1</sup>	n/a	n/a	77
Total Number of Claims Sent Out	7,728	6,733	6,413
Number of Claim Packages Sent Out	5,962	5,197	5,017
Number of Extension Requests Sent Out	1,766	1,536	1,396
Total Number of Claims Returned <sup>2</sup>	5,186	4,157	3,838
Number of Claim Packages Returned	4,178	3,202	2,908
Number of Extension Requests Returned	1,008	955	930
Number of Hearings Held <sup>3</sup>	2,779	2,515	2,840
Number of Awards Processed <sup>4</sup>	2,424	2,654	2,321
Number of Claims Denied (at the Hearing)	202	143	241
Average Award	\$6,569	\$7,228	\$6,815

NOTES:

1. Since the launch of the website, December 2005
2. The total number of claims returned in any given year include claim packages returned that were issued in the current fiscal year as well as in previous years. It often takes time for an individual to complete the forms and submit their package to the Board, and this delay sometimes overlaps fiscal years
3. The number of hearings held include hearings held for interim payments (Section 14), lump sum and periodic awards, variations (Section 25) and annual reviews of periodic payments
4. Multiple awards may be processed for one hearing and therefore these numbers do not total the number of claim packages received or the number of hearings held. An individual may receive an interim award and/or variation award in addition to the lump sum and / or periodic award made at the hearing

# Interim and Variation Awards



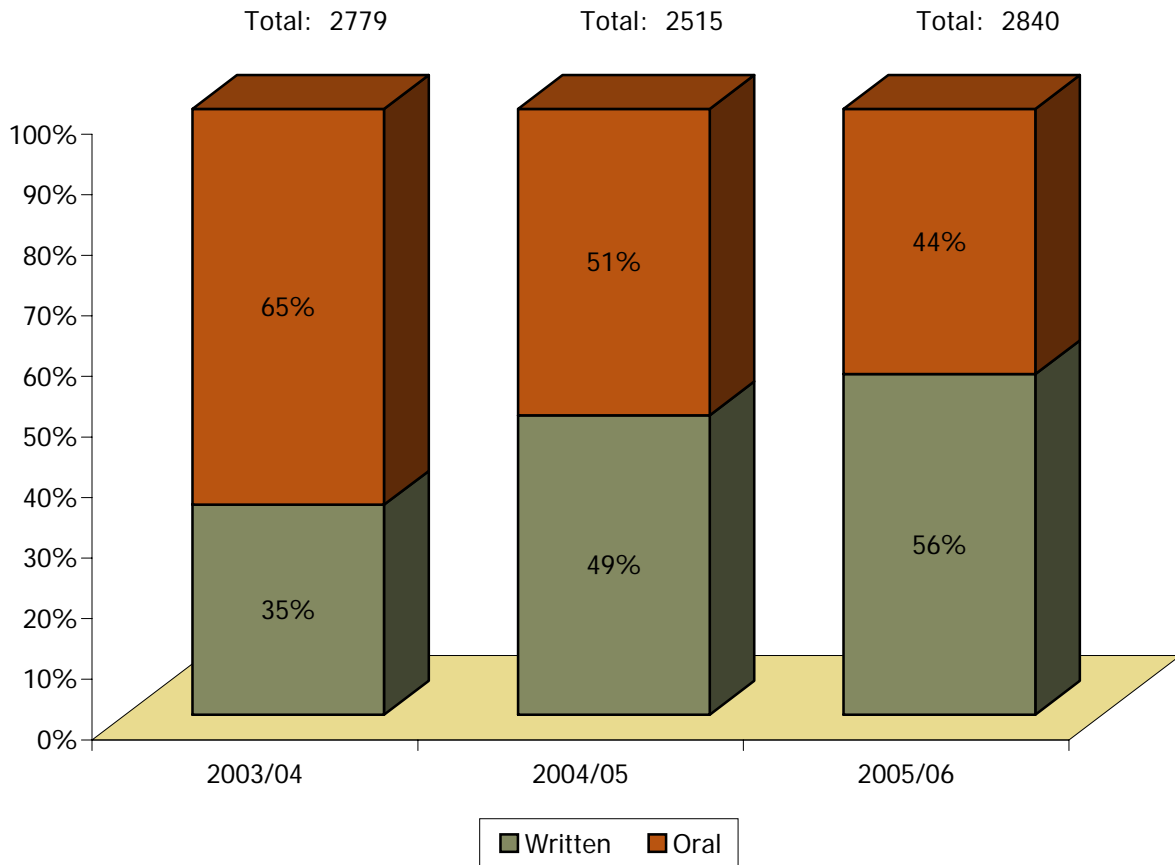
**NOTES:**

- Interim awards are granted before the hearing of a claim in accordance with the provisions of Section 14 of the *Compensation for Victims of Crime Act*
- Additional awards are considered after the Board has held a hearing and made an award and are in accordance with Sections 22 & 25 of the *Compensation for Victims of Crime Act*
- "Other" includes payments for therapy, medical devices, travel to treatment, translation services, police witnesses, etc.
- Section 22 is payment for additional costs; these are not shown as the number is insignificant (less than 20 claims per year)
- 2004/05 Medical Reports, Total Payments number corrected to \$352.07 from 31st Combined Annual Report at \$436.87

# Hearings

In order to hold more hearings, reduce wait times and to make it more convenient for the applicants, the Board has hearings in 19 locations across the province: Belleville, Dryden, Hamilton, Kenora, Kitchener, London, Niagara Falls, North Bay, Orillia, Ottawa, Peterborough, Sault Ste Marie, Sioux Lookout, St. Catharines, Sudbury, Thunder Bay, Timmins, Toronto, Windsor. In addition, hearings are held in Vancouver, British Columbia.

The following chart shows the number and type of hearings held over a 3 year period from 2003/04 to 2005/06. Note that there has been a move towards an increase in written hearings over the last couple of years. This has helped to increase the number of hearings held, decrease wait times and has resulted in savings in operating costs per hearing held.

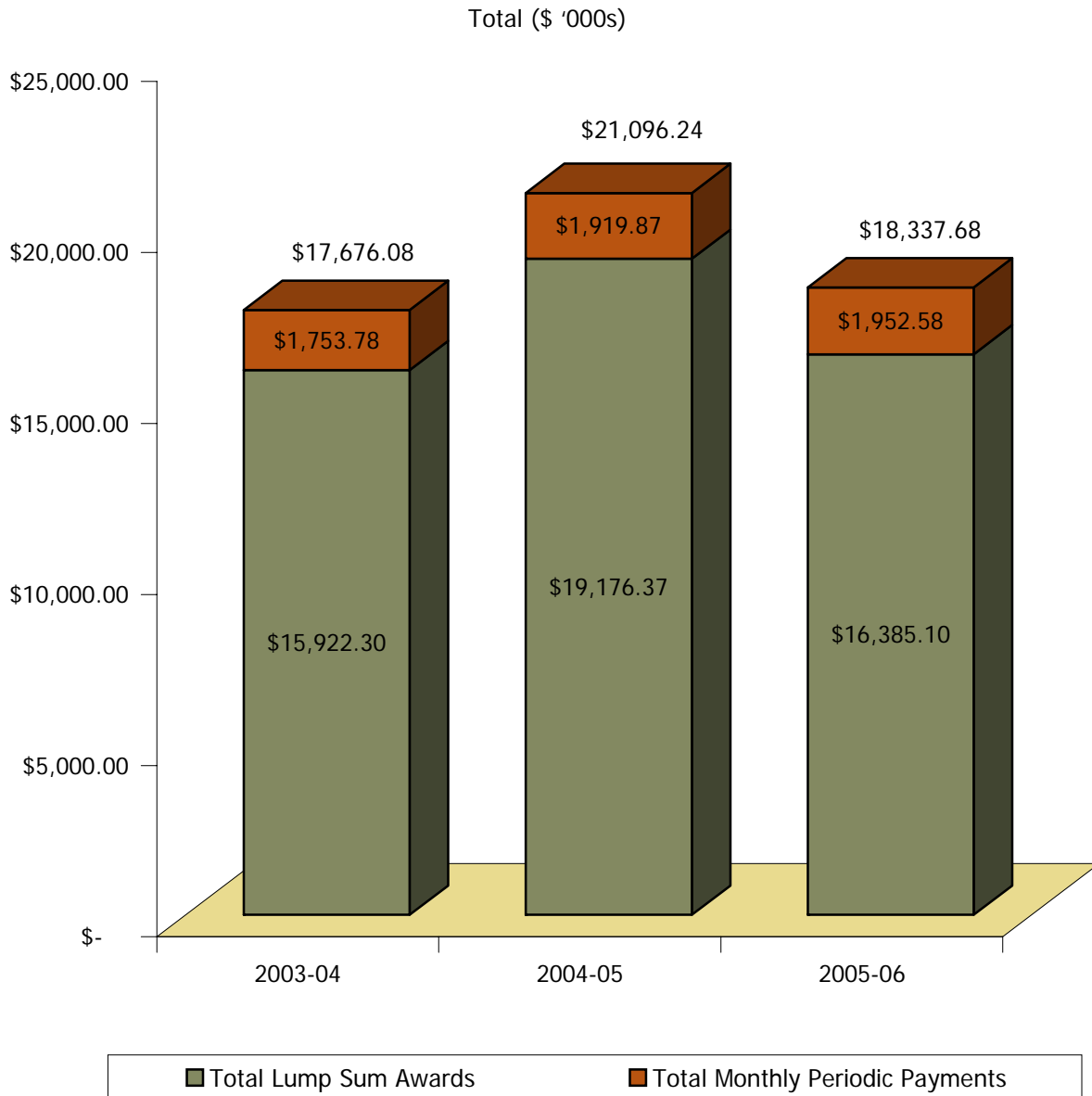


**NOTES:**

1. The number of written hearings (hearings held by one Board Member) include hearings for lump sum and periodic awards as well as hearings for Section 14, Section 22 and Section 25 awards and Periodic Reviews
2. The number of oral hearings (held by two Board Members) includes hearings for lump sum and periodic awards as well as those held for Section 10 Reviews. Section 10 Reviews are held when the claimant feels the initial decision did not take into consideration some aspects of their claim. They are always oral and account for less than 0.05% of all hearings held

# Compensation Awards

Total compensation awards between 2003-04 and 2005-06 (cash basis)



Lump Sum awards represent one time payments made to a victim of crime. The lump sum total includes interim payments, awards, variation of awards as well as payments for medical reports used in support of the claim.

Periodic payments represent awards that are paid on a monthly basis.

# Breakdown of Awards by Type of Benefit

Awards (\$000's)	2003/04	2004/05	2005/06
Pain and Suffering	\$13,028.70	\$14,449.56	\$13,528.37
Other <sup>1</sup>	\$1,501.36	\$2,340.03	\$1,163.68
Loss of Wages	\$554.86	\$635.06	\$609.99
Medical Expenses	\$333.22	\$529.33	\$568.76
Funeral Expenses	\$286.59	\$311.64	\$316.47
Legal Expenses	\$68.52	\$38.19	\$66.98
Pecuniary Loss	\$152.86	\$101.67	\$53.88

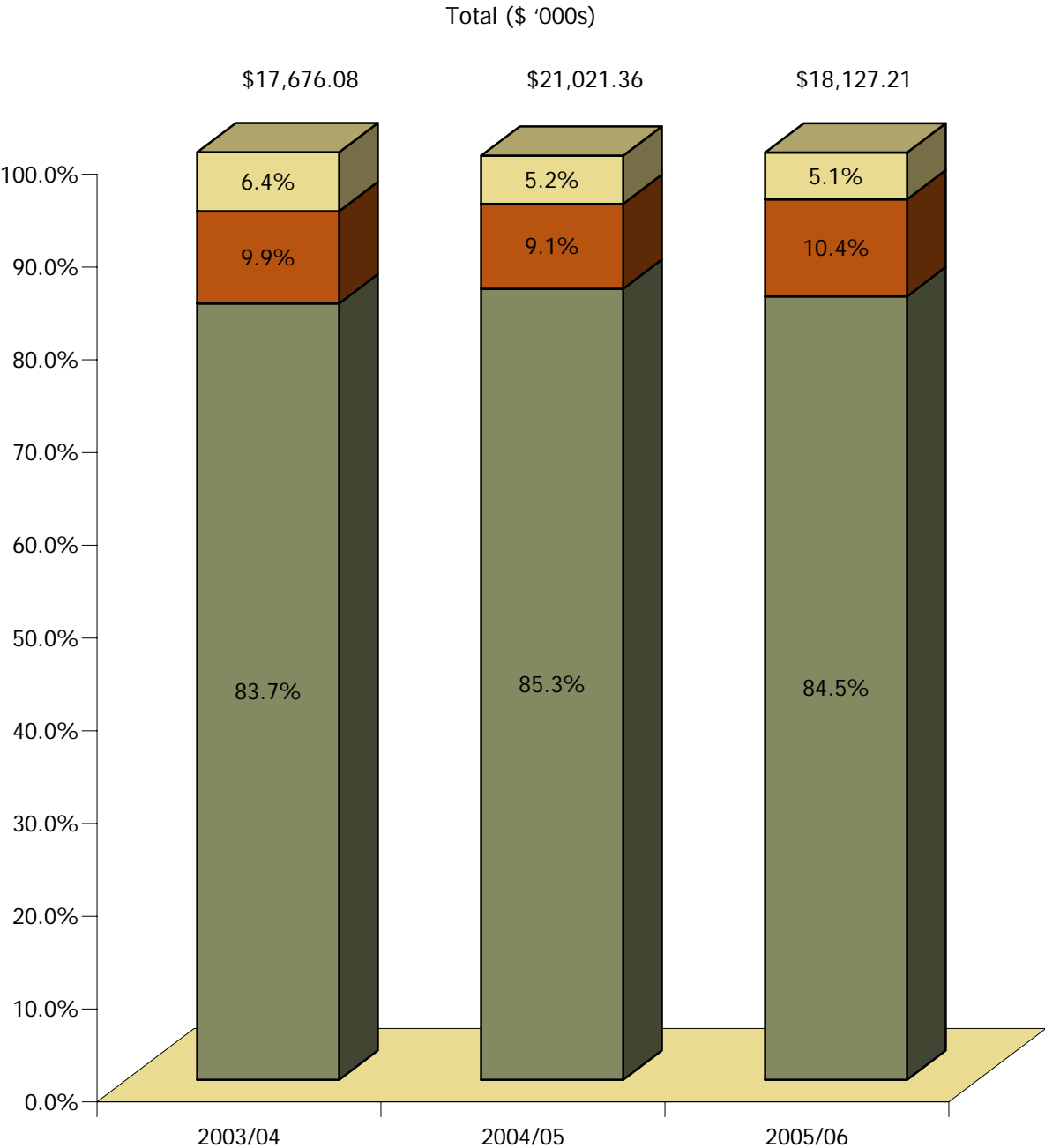
NOTES:

1. Other includes: Medical Reports, Reasons for Judgement and awards for AE Decisions

*"...I found this process very helpful ..." - stakeholder*

*"...the Board Members handled the hearing in a most sensitive and professional manner. As a result, I was able to communicate effectively and honestly" ..." - stakeholder*

# Breakdown of Awards by Type of Payment

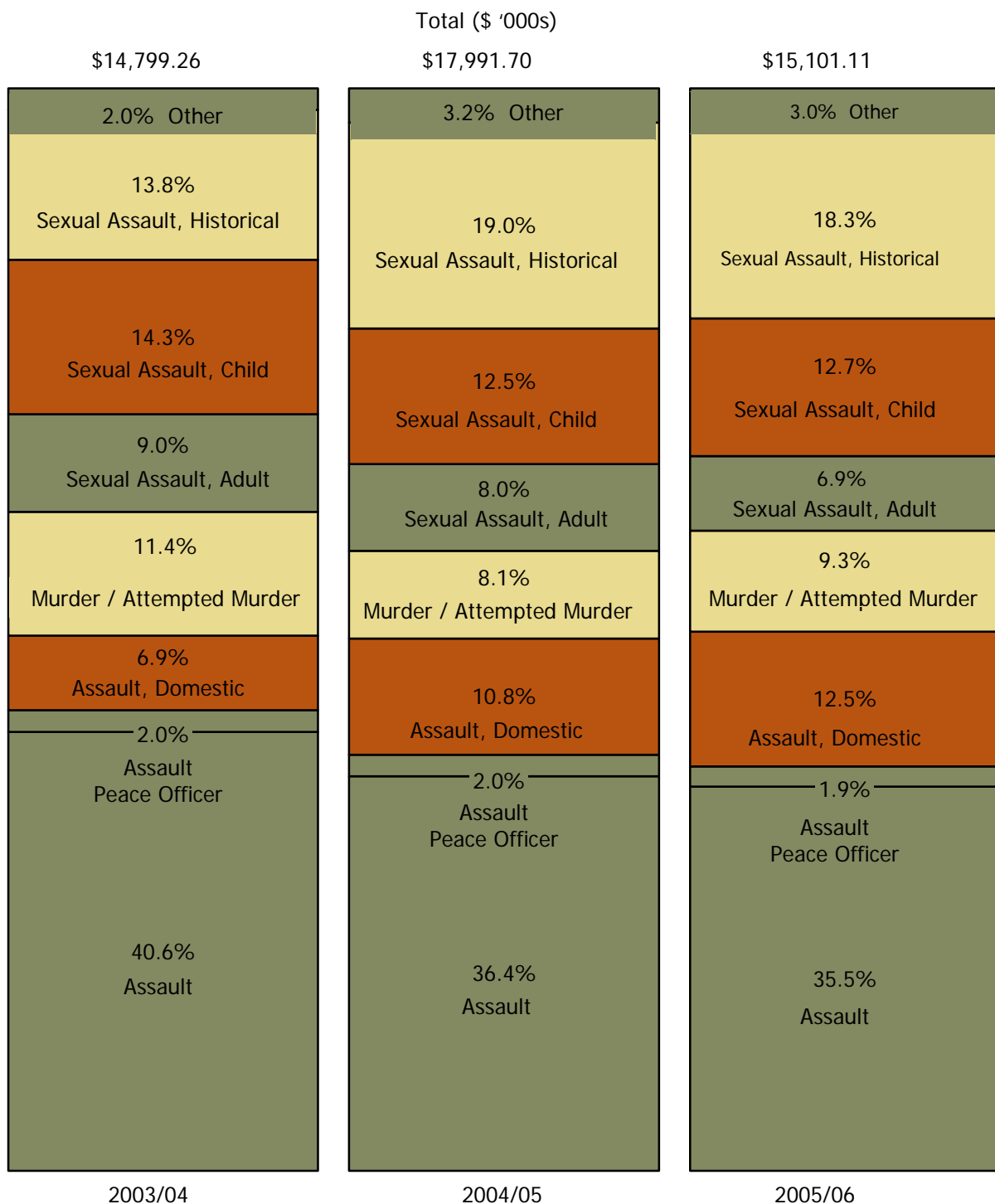


Lump Sum Awards
  Periodic Awards
  Section 14, Section 25, Medical and Other Reports

**NOTES:**

1. For 2003/04, Section 14 (1.3%), Section 25 (2.5%), Medical and Other Reports (2.6%)
2. For 2004/05, Section 14 (1.3%), Section 25 (2.2%), Medical and Other Reports (1.7%)
3. For 2005/06, Section 14 (1.5%), Section 25 (2.2%), Medical and Other Reports (1.3%)
4. Section 22 awards in all years were less than .05% and therefore not shown on the chart
5. Medical and Other Reports differ from the 31st Combined Annual Report (2.1%) due to a correction in total payments for Medical and Other Reports

# Breakdown of Lump Sum Awards by Type of Offence



**NOTES:**

1. "Other" includes arson, robbery and criminal harassment
2. Domestic assault was often captured as a general assault until recently. It is now more consistently recorded in the appropriate separate category

# **SAMPLE DECISIONS**

# Sample Decisions

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## Assault

**File Number: 0307-42868**

While attending a house party, this 32 year old applicant went outside on the deck and observed a fight break out between two males. Suddenly, and without provocation, the applicant was struck in the face with a beer bottle by a female. The police interviewed all the people at the party, however all the witnesses were under the influence of alcohol and needed to be re-interviewed. The alleged offender was charged with Aggravated Assault and Assault with a Weapon, contrary to sections 268 and 267(a) of the Criminal Code of Canada. Both of the charges against her were withdrawn by the Crown Attorney as they did not believe they could prove their case beyond a reasonable doubt.

The applicant was taken to the hospital by ambulance. He sustained a laceration to his eye and a global rupture which required immediate surgery. Two days later, he was transferred to a different hospital and underwent additional surgery for a dislocated lens and cataract, as well as a detached retina. He underwent a third operation six months later and a fourth operation three months after that. His visual prognosis is guarded and he is legally blind in that eye. The applicant was off work for substantial periods of time following the assault and subsequent operations, and received some Employment Insurance for parts of those periods.

### Decision:

The Board found the applicant to be a victim of a crime of violence. They considered the unprovoked nature of the assault, the use of a weapon, and the permanent physical injuries the applicant sustained. He was awarded \$10,000.00 for pain and suffering and \$10,010.28 for loss of income. He was also awarded \$2,436.20 to cover various expenses including the ambulance, eye glasses, and travel to treatment. Those expenses which were claimed, but for which no receipts were provided were denied.

# Sample Decisions

## Assault

**File Number: 0309-43596**

This applicant was working in a facility for incarcerated youth. He had previously needed to physically restrain the alleged young offender on a number of occasions. On the day of this incident, the alleged young offender was angry and went looking for the applicant in order to cause him harm. When he found the applicant, he threatened to kill him and then began to punch and kick his face head and body. He also grabbed the applicant's groin area and pulled forcefully, and bit the applicant's hand, breaking his skin. It took five staff members to contain the alleged young offender. No charges were laid in this incident.

The applicant's injuries included a bite to his hand, bruises and scratches to his knee, face, arms and groin area. He also had a laceration on his mouth and suffered from swelling and tenderness in his jaw. Most of his physical injuries healed within a few months, although he continued to suffer from jaw pain, and high blood pressure. The applicant was also psychologically traumatized and required medication and ongoing psychotherapy for a prolonged period of time. He was unable to return to work, suffered from sexual dysfunction, flashbacks, nightmares and sleep difficulties, depression and anxiety, distrust and anger. The incident also triggered memories of childhood sexual abuse.

### Decision:

The Board found the applicant to be a victim within the meaning of the *Act*, and after considering the physical injuries and, in particular, the on-going emotional impact of the incident, the Board awarded him \$10,000.00 for pain and suffering. The applicant was also awarded \$510.00 for a bite guard and \$33.60 for travel to hearing expenses.

# Sample Decisions

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## Assault

### File Number: 0207-35608

This corrections officer was assaulted at work by a young offender in the institution where the young offender was incarcerated. The applicant was in the process of subduing the young offender who was in both arm and leg restraints. The young offender spat at the applicant and bit his wrist. The applicant eventually kicked the young offender's legs out from under him in order to make him to stop biting. The young offender was convicted of two counts of assaulting a peace officer and was sentenced to 60 days open custody.

The applicant attended the hospital where he was diagnosed with a bite mark involving a small tear and some bleeding. His greater concern was fear of HIV infection and the applicant underwent six months of testing and treatment, suffering from the regular side effects of the anti-viral medication. The applicant suffered from insomnia and depression and had several counselling sessions. He returned to modified work duties three months after the incident, and did not return before that because he felt his employer was unable to protect him from such incidents.

### Decision:

The Board found the applicant to be a victim of assault and found him compensable under the *Act*. The Board considered the nature of the injuries, both physical and psychological, and awarded him \$1,500.00 for pain and suffering. His income loss was compensated by the Workplace Insurance and Safety Board, and his therapy costs claim was denied because it was a WSIB benefit for which he could have applied.

# Sample Decisions

## Assault with a Weapon

**File Number: 0310-44715**

This 56 year old applicant was attacked by a stranger at a bus-stop, after the applicant refused to give the offender money. The applicant explained that he did not speak English and walked away from the offender. When the bus came, the offender rushed at the applicant and stabbed him in the back. The applicant's leg gave way and he fell to the ground. With the assistance of witnesses, the police were able to apprehend the offender. He was charged with aggravated assault, weapons dangerous and robbery, but died while in custody.

The applicant suffered a one inch stab wound to the back which caused some spinal chord injury. He remained in the hospital for one week and in a rehabilitation facility for more than six weeks. He continues to suffer from numbness, spasms, and loss of strength in his legs, and numbness and dysfunction to other lower body parts. He requires the use of a cane to walk and his condition seems to be deteriorating over time. He returned to work one year following the incident and received long-term disability benefits from his insurance company during that year. Additionally, the applicant has suffered from depression, confusion, anger and loneliness since the attack.

### **Decision:**

The applicant was found compensable under the *Act*. The Board considered the facts that the applicant sustained a permanent spinal chord injury which greatly diminished the quality of his life. The Board also considered the applicant's accompanying psychological trauma and his inability to work for one year. The Board compensated the applicant \$18,000.00 for pain and suffering. He was also awarded \$1,854.01 for income loss, which represented the difference between what his salary should have been and the amount he received from his insurance plan.

# Sample Decisions

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## Assault Bodily Harm

**File Number: 0305-41603**

At the age of 22 this applicant and a friend were walking in a parking garage when they were attacked without provocation by a group of ten young men. The applicant was struck in the face with a fist. He was kned in the face by another assailant and punched in the head and kicked in the ribs by others. The applicant managed to run down a couple of streets to flag down a police car. Only two of the assailants were ever identified. They were charged with assault causing bodily harm, but those charges were dismissed due to difficulties proving the Crown's case.

The applicant sustained substantial facial injuries. His jaw was broken in three places and he required reconstructive facial surgery, including the insertion of a steal plate to keep his jaw together. His jaw was wired shut for approximately six weeks, during which time the applicant lost 20 pounds. Two of his teeth were fractured and required surface fillings to repair. Additionally, the applicant was very angry, irritable, and fearful of going into crowds. He suffered from nightmares and intrusive memories of the attack, and frequently looks over his shoulder for potential danger.

### **Decision:**

The Board found this applicant to be a victim of a seemingly unprovoked assault. After assessing the nature of his long-lasting physical and emotional injuries, and the nature of the treatment he required, the Board awarded the applicant \$15,000.00 for pain and suffering. He was also awarded \$1,692.80 for income loss for the eight weeks he was off work, minus what he received from Employment Insurance. Under Section 14 of the *Act*, the applicant had already received \$350.00 for psychotherapy expenses.

# Sample Decisions

## Police Officer, Denial

**File Number: 0404-47587**

This applicant was a 50-year-old police officer who was injured while attempting to arrest a wanted suspect. The applicant attended the suspect's last known address and this individual attempted to flee from his second floor window. The applicant was waiting outside the window and arrested the suspect upon his descent. The suspect broke free and as the applicant attempted to prevent his escape, the applicant slid on loose gravel and lost his footing. The suspect was eventually apprehended and charged with Escape Lawful Custody, contrary to Section 145(1)(a) of the Criminal Code of Canada.

During the incident the applicant twisted his ankle and fractured a bone in his foot. His foot was placed in a cast and he suffered ongoing pain and discomfort, as well as complications with his knee.

## Decision

The issue before the Board was not whether the applicant sustained injury, but whether he was compensable under the *Compensation for Victims of Crime Act*. Section 5(a) of the *Act* states that an applicant is compensable when he or she is injured or killed as a result of a crime of violence. Section 5(b) of the *Act* states that an applicant is compensable when injured while lawfully arresting someone or attempting to arrest someone in relation to a violent or property offence. The applicant in this case was not a victim of a crime of violence himself, but was injured while attempting to make an arrest. However, there was no evidence to indicate that the crime for which the suspect was being arrested was a violent or property crime. Therefore, the Board found that the applicant was not compensable under the *Act*, and this application was denied.

# Sample Decisions

## Domestic Assault and Criminal Harassment

### File Numbers: 9907-15625 & 0403-46930

This 38 year old applicant brought two applications before the Board in relation to the abuse she experienced by her husband. The first application addressed the physical and emotional abuse she encountered during her five-year marriage to the offender, and the second application addressed the criminal harassment or stalking which she experienced for many years after she separated from the offender. During her marriage, the applicant was subjected to numerous physical assaults including being slapped, kicked, and punched in the face. She was dragged by her hair and burned with cigarettes. On one occasion the offender attempted to suffocate her by holding a pillow over her face, and on another he held her head under water in the bathtub until she nearly drowned. The offender threatened to kill the applicant on numerous occasions. In addition to all the physical abuse, the offender was very controlling and emotionally abusive; once he burned all of her clothes. Following their separation the applicant was harassed, followed, and phoned repeatedly. He threatened to kill her if she ever became involved with another man. The offender was charged with and convicted of assault numerous times.

The applicant sustained many physical injuries over the years, however none required medical attention. She has undergone years of psychotherapy to deal with the physical and psychological trauma she endured. She has suffered from depression, anxiety, insomnia, nightmares, and suicide attempts. She has lived with intense and ongoing fear of the offender.

### Decision:

The Board found the applicant to be a victim within the meaning of the *Act*. With regard to the first application, for the physical abuse she endured during marriage, the applicant was awarded \$7,000.00 for pain and suffering. With regard to the second application, she was found to have suffered the injury nervous shock as a result of the ongoing stalking and criminal harassment. For that application she was awarded \$12,000.00 for pain and suffering. Legal disbursements were also awarded in the amount of \$71.06.

# Sample Decisions

## Domestic Abuse

### File Number: 0212-38517

This applicant had been physically and emotionally abused by the offender for many years. She became involved in a relationship with the offender when she was 16 years old and they lived in a common-law relationship until she was in her mid twenties. During that time they had a child. Over the years the applicant had been subjected to numerous physical assaults including slapping and choking. The offender screamed and swore at the applicant and called her names. The violence increased over time and the applicant become more fearful for her safety and for that of her son. She eventually separated from the offender and became involved in a new relationship. Several months later, the offender came to her home and assaulted her again. This time, he grabbed her by the neck, struck her, and threatened her with a handgun. She called the police and the offender was charged. He was convicted of assault and threatening death.

The physical injuries sustained by the applicant included bruises and a scratch to her neck, and pain in her back, shoulder and neck. She attended psychotherapy to deal with the fear and trauma which caused anxiety, sleep disruption and weight loss.

### Decision:

The Board found the applicant to be a victim within the meaning of the *Act*. In assessing an amount for pain and suffering the Board considered the pattern of emotional and physical abuse that culminated with the final event leading to the criminal charges being laid, as well as the physical and emotional injuries she sustained. She was awarded \$8,500.00 for pain and suffering and \$240.00 for income loss.

# Sample Decisions

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## Homicide

### File Number: 0301-39176

This application was brought following the homicide of a three-year old child. Her death was caused as a result of what appeared to be a brutal beating by her babysitter. The applicant was the child's aunt, who had been her primary caregiver from birth until just weeks before the tragic death, when the child returned to live with her biological mother. The offender was charged with second degree murder and pled guilty to manslaughter. She was sentenced to four and a half years incarceration, in addition to time already served prior to sentencing.

The applicant learned of the tragedy while watching the news on television. She rushed to the hospital and held her little niece when they turned off the life support systems. The child died in the applicant's arms. The applicant suffered tremendously as a result of the incident and struggles with depression and anxiety, eating and sleeping disturbances, and intrusive and brutal memories of her niece's death. She loved the child and had raised her as her own, and she was terribly traumatized by her senseless murder. In spite of a significant amount of psychotherapy to deal with the trauma, the applicant still had to change her career as a result of being unable to continue working in the health care field.

### Decision:

The Board found ample evidence in this application to find that the applicant had sustained the injury nervous shock as a result of the horrendous crime. She had been like a mother to the child and she sustained immediate and substantial psychological injury requiring treatment. The Board also considered her inability to function and work in her chosen career. The Board awarded the applicant \$17,000.00 for pain and suffering.

# Sample Decisions

## Sexual Assault

### File Number: 0209-36731

Three years before the Hearing, when this applicant was 18 years old, she was voluntarily living in a group home as a result of having a very dysfunctional family. One day she was taken reluctantly into the woods by two other female residents of the group home and two males. She was forced to perform oral sex on both males and then one of them raped her vaginally. She was threatened with physical harm if she did not comply, and one of the girls threatened to kill her if she told anyone what happened. When the applicant returned to the group home she did tell a staff member who called the police. She was found by the police in an alcove of the basement, rocking back and forth, and was taken to the hospital. All the individuals involved were charged with sexual assault, threatening bodily harm and threatening death. One of the males pled guilty to sexual assault and was sentenced to 60 days in addition to the 60 days he was in pre-trial custody. The other three were acquitted at trial, as the applicant was too emotionally fragile to make a good witness on the stand.

The applicant suffered from severe anxiety, hopelessness and depression following the incident. She was emotionally vulnerable prior to this attack and her self esteem was further damaged as a result of this sexual assault. Following the incident, she missed a great deal of school and work, engaged in high risk behaviour, and many months later she was still suffering from nightmares, fear and anxiety, and eating difficulties.

### Decision:

The Board found the applicant compensable and considered the facts that the applicant had believed the two females were her friends and she felt utterly betrayed by them. Given her history and emotional immaturity, the Board found that she was particularly vulnerable at the time of the assault. The Board awarded her \$12,000.00 for pain and suffering, and noted her tremendous courage in facing all that she had to deal with following the sexual assault.

# Sample Decisions

## Sexual Assault, Kidnapping

### File Number: 0211-38313

When this applicant was 25 years old, she was accosted by two strangers while walking to her car through the underground garage of her apartment building. She screamed and was then punched, kicked and strangled. She was bound and her mouth was taped. The two men took her keys and searched her apartment for money. She was sexually fondled and placed in the back seat of the assailants' vehicle. Eventually, she was thrown out of the car and her attackers fled the scene. A security guard found the applicant, still tied up, and called the police. While the matter was investigated, no arrests were ever made.

The applicant sustained soft tissue injuries around her eyes and abrasions to her body. She had swelling and bruising to her face that caused her difficulty eating. In addition to the physical injuries, the applicant suffered from panic attacks, nightmares, depression and flashbacks as a result of the incident. The applicant had to leave her part-time job and university studies and moved in with her parents. She was unable to work for more than ten months following the attack. She received counselling and her therapist indicated to the Board that she had sustained a very serious and long lasting psychological injury.

### Decision:

The Board found the applicant to be a victim within the meaning of the *Act*. In deciding on a pain and suffering award, the Board considered the fact that the applicant lost a significant amount of school as a result of the serious injuries she sustained and awarded her \$10,000.00. Additionally, she was awarded \$8,588.16 for income loss, \$375.00 for travel to treatment expenses, \$45.00 for the ambulance, and \$1,497.79 for medication. The Board also made an exception to its general practice and awarded her \$500.00 for moving expenses, based on the circumstances of her attack and her resulting need to change her residence. The applicant's requests for other expenses or losses, such as lost tuition, parking, and travel costs associated with attending the police station, were denied.

# Sample Decisions

## Child Sexual / Physical Abuse

### File Number: 0201-31854

This applicant came to the Board at the age of 45, as a result of severe and profound physical and sexual abuse she suffered from birth to the age of 4 years. The abuse ended when she was apprehended by the Children's Aid Society and placed in a series of foster care homes. At two and a half years old, she was found wandering the streets with a bloody nose and bruises under her eye. Throughout her early years her father subjected her to anal sex and 'sold' her to other men to rape her. She was forced to watch her father beat and rape her mother. On various occasions her father threw her down the stairs, intentionally smashed her fingers in doors and stomped on her toes. She and her siblings were forced to remove their clothes and were whipped with a cable chord. Her mother would tie her hands and feet to closets so that other men could have sex with her. The applicant has many body memories and she recovered some memories in therapy. At the age of 19, however, her many older siblings began to tell her exactly what happened, as they were both victims and witnesses. Some of the abuse was also documented by the CAS. The applicant's father died when she was four and her mother was never charged with any criminal acts.

The applicant has suffered from profound psychological injury as a result of the horrendous abuse she suffered during the first four years of her life. She was diagnosed with Dissociative Identity Disorder and Complex Post Traumatic Stress Disorder. She has suffered from nightmares, flashbacks and body memories, and attempted suicide more than ten times. She has been addicted to alcohol, drugs, food, and gambling, and worked as a prostitute. She has had many psychotic episodes and has required numerous hospitalizations over the years. She was misdiagnosed with paranoid schizophrenia when she was younger.

### Decision:

The Board found this applicant, on the balance of probabilities, to be a victim of physical and sexual assaults, and was therefore found to be a victim within the meaning of the *Act*. They accepted the applicant's and the therapeutic evidence. In deciding on a pain and suffering award, the Board considered the young age of the applicant when she was victimized and how it damaged her entire life. The Board awarded the applicant the maximum award of \$25,000.00 for pain and suffering.

# Sample Decisions

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## Child Abuse

**File Numbers: 0307-42889, 9711-07976, 0110-29942**

These three applicants are all brothers in their late 40s. They were abandoned by their mother when they were very young and placed in a series of foster homes over a period of several years. When they were five, seven, and eight years old, they were placed in the care of the alleged offender and remained there for more than five years. During those years they were subjected to severe emotional and physical abuse by the foster mother. She would bathe them weekly in scalding water, and always referred to them as "dirty Indians". One was struck on the back of the head with an iron frying pan and knocked unconscious because he was sitting closer to the television than permitted, on one of the rare occasions when they were allowed to watch television. They were regularly struck with branches or a wooden paddle, or were "knuckle punched". They were forced to sit in a corner or kneel on a two by four outside, even during the winter. They were frequently deprived of food and were severely underfed and undernourished. They were forced to live in a separate addition of the house with no furniture. They were deprived of warm clothing in winter and were humiliated regularly for being aboriginal.

The applicants suffered from bruises and welts, nose bleeds, and malnutrition. The one who was hit on the head with the frying pan suffers some head and neurological injuries. Another applicant, who also suffered regular blows to the heads, lost eyesight in one of his eyes during his stay in the alleged offender's home. They have experienced a range of psychological symptoms as a result of the trauma, including dissociation, suicide attempts, drug and alcohol abuse, anxiety, persistent fear and an inability to trust people. They have pursued a variety of Native healing processes which address their physical, emotional and spiritual healing needs.

### **Decision:**

Despite the fact that no criminal charges were ever brought against the alleged offender, the Board found that all three had been severely abused as children when they were in her care. One of the applicants was awarded \$18,000.00 for pain and suffering and the other two each received \$14,000.00. One also received travel to treatment costs in the amount of \$3,132.00. Additionally, each received full travel costs to attend the Hearing.

# Sample Decisions

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## Arson

### File Number: 0210-37483

In the middle of the night, this 46 year old man was at home with his family when an unknown assailant threw two ignited gas bottles into his house. The applicant managed to throw one of the bottles back out of the house, but the other set the house on fire and resulted in significant property damage and injury to the applicant. He was able to get his wife and children out of the house, therefore sparing them injury. While the police investigated the matter, no arrests were ever made.

The applicant was taken by ambulance to the hospital where he was diagnosed with having sustained upper respiratory smoke inhalation and singed facial hair. He had to be intubated and remained in the hospital for several days. He left the hospital with asthma-like symptoms but made a full physical recovery within about six weeks. Additionally, the applicant suffered from anxiety and post traumatic stress following the incident.

### Decision:

The Board found the applicant to be a victim of arson. In making an award for pain and suffering, the Board considered the extent of the applicant's physical and psychological injuries, the length of time recovered for his recovery, and the fact that the incident caused the applicant to be fearful for his safety and that of his family. He was awarded \$10,000.00 for pain and suffering.

# Sample Decisions

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## Vehicle as a Weapon

**File Number: 0305-41949**

This applicant was a police officer who became involved in a high-speed chase. He was attempting to detain the offender who was driving a stolen vehicle and was wanted in relation to other charges. The offender forced the applicant's vehicle into a lane behind a transport truck, and then rammed into him at a speed of 200 km/hour, causing the applicant's vehicle to strike the concrete centre median a number of times. The offender's vehicle struck the applicant several more times until the applicant's vehicle stopped and the airbags were deployed. The applicant was taken to the hospital by ambulance and the offender was charged with numerous charges, including aggravated assault in regard to this incident. This aggravated assault charge was withdrawn in a plea bargain when he pled guilty to numerous other charges.

The applicant suffered a minor concussion and soft tissue injuries to his back. He missed 11 days of work due to soreness and discomfort and did not require or receive any medical treatment other than the initial hospital visit.

### **DECISION:**

The Board found that this applicant was injured as a result of a crime of violence. In particular, the Board found that the offender had used his vehicle as a weapon to intentionally harm the applicant, and was found compensable in accordance with Section 5(a) of the *Act*. He was awarded \$2,000.00 for pain and suffering.

**APPENDIX A  
BOARD MEMBER  
BIOGRAPHIES**

# Board Member Biographies

## CHAIR

**Marsha Greenfield** of North Bay, was appointed to the Board in July of 1996, and was appointed Chair of the Board in September of 1998. Ms. Greenfield attended the University of Guelph and Nipissing University. She worked at Interval House in Toronto providing front line service such as crisis and support counselling to women who had been assaulted. Ms. Greenfield worked for the Ministry of Community and Social Services where she provided training to staff members of twenty-three shelters for assaulted women and their children. She has provided workshops for police officers and crown attorneys on providing an appropriate and effective response to women in their various dealings with the criminal justice system. Ms. Greenfield worked for the Department of Social Services in North Bay where she provided staff training on General Welfare Assistance legislation and regulations to 20 municipalities, 26 First Nation Communities, and the Ministry of Community and Social Service income maintenance workers. Ms. Greenfield was a founding Board Member and Coordinator of the Nipissing Transition House for twelve years, and served on the Board of Ontario Association of Interval and Transition Houses.

## VICE - CHAIRS

**William Liber** of Toronto, was appointed to the Board in March of 1996. He was appointed Vice Chair on a part-time basis in December 1997 and on a full-time basis in October 1998. Mr. Liber served as Acting Chair from June 1998 until September 1998. He is a graduate of the University of Toronto and Osgoode Hall Law School. Mr. Liber practiced law with Gardiner, Roberts in Toronto. He served as a Trustee and President of the County of York Law Association, on the Planning Board of the City of Etobicoke and on the Board of Management of the O'Keefe Centre for the Performing Arts.

**Anne Stanfield** of Ottawa, was appointed to the Board in 1973, and has served as a part-time Vice Chair of the Board since 1978. Ms. Stanfield graduated from the University of Toronto in 1952, and later attended the University of Toronto Faculty of Education. She was a secondary school teacher with the North York Board of Education until 1978, when she moved to Ottawa. Ms. Stanfield has served as a member and director of a number of community and educational research organizations and was a founding President of the Sunnybrook Hospital Volunteer Association.

## Board Member Biographies continued ...

**Marion Boyd** of London, graduated from York University in 1968 with degrees in English and History. She worked in a variety of capacities in London and eventually became the Executive Director of the Battered Women's Advocacy Centre in 1984, where she remained for six years. Ms. Boyd was the elected Member of Provincial Parliament for London Centre from 1990 - 1999. During that time she served as Minister of Education, Minister of Community and Social Services, and, in 1993, Ms. Boyd became the first woman to be appointed Attorney General for the Province of Ontario. She also held the additional responsibility as Minister Responsible for Women's Issues between 1991-1995.

**John Brothers** of Kitchener, Ontario, is a graduate of the Faculty of Social Work (M.S.W.) and of the School of Business Administration (M.B.A.) at the Wilfrid Laurier University. He is also a Registered Social Worker (R.S.W.). He has a broadly based social work career, complemented by in depth experience in clinical, administrative, academic and tribunal positions. Mr. Brothers has served as the Director of Social Work at Homewood Health Centre, Guelph, Ontario, has been on the teaching faculty at the University of Guelph and Wilfrid Laurier University. He also held positions at the Ontario Review Board and National Parole Board.

**Max Dokuchie** is a member of the Key First Nation in Saskatchewan, whose First Nation is signatory to Treaty #4. Mr. Dokuchie has extensive experience in the area of Aboriginal and Treaty Rights in addition to the expertise he has gained as a lawyer focusing in this area. He worked with First Nations and Aboriginal organizations to secure funding and technical and project support throughout University. Prior to beginning his legal practice Mr. Dokuchie worked as a Senior Policy Analyst at the Department of Indian Affairs in the Lands Directorate. Mr. Dokuchie's legal practice is primarily dedicated to the protection and recognition of Aboriginal and Treaty Rights including First Nations taxation rights, lands management, economic and infrastructure development.

Mr. Dokuchie has also been a guest lecturer at the University of Ottawa, Faculty of Law where he lectured on First Nations taxation and economic development. Mr. Dokuchie is also a Co-Chair of the First Nations Advisory Committee to the Canada Revenue Agency, which provides advice and recommendations to the Minister of Revenue on Agency policy and initiatives that affect First Nations people.

Mr. Dokuchie has also participated in numerous endurance events that include the marathon and the Ironman.

## Board Member Biographies continued ...

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**Susan Hunt** of Toronto, received her Bachelor of Arts from the University of Toronto and has worked in a wide variety of settings over the years. She has worked in various constituency offices for elected officials, including being employed as the Executive Assistant to an MPP during the late 1990's. Ms. Hunt has served as Chair and Board Member of the Scarborough Public Library, Board Member for Big Sisters of Toronto and member of the Grant Allocation Committee of the United Way of Metropolitan Toronto. Ms. Hunt was appointed to the Immigration and Refugee Board in 1989 where she served as a Board Member until 1994.

**Paula Klein** of Toronto, has recently been reappointed to the Board having served the Board as a Board Member from 1993 to 1999. Ms. Klein graduated from the University of Wisconsin – School of Education and University of Toronto – Department of Applied Psychology. From 1987 to 1991, she worked as a counselor/advocate for the Barbra Schlifer Commemorative Clinic in Toronto. She was also a Group Facilitator in a Breakthrough Program of the YWCA and an interviewer /researcher at the Research on Women and Violence. She has provided workshops and training in areas of wife assault and sexual assault and is presently a therapist in private practice.

**Stephen Leach** has a decade of experience in the insurance industry as a litigator. His professional experience has been evenly split between acting for insurers and corporate or individual plaintiffs. He has been trained to investigate and resolve large liability cases as a litigator, mediator, arbitrator, consultant and advisor. Mr. Leach graduated from the University of Alberta with a Bachelor of Arts with Distinction degree and Bachelors of Law. He was admitted to the Law Society of Alberta in 1992.

**Ronaq Massey** of Mississauga received her Bachelor of Arts in 1976 and her M.A. in Social Work in 1978 from the University of Punjab in Pakistan. She served as the Director of Social Welfare Projects National Council of Churches in Pakistan. Her publications include "The Role of Women in Decision-making in Islamic Society".

**Willson McTavish** of Mississauga, graduated from Osgoode Hall Law School in 1962, and practiced law within various firms until 1984, when he was appointed Official Guardian for the Province of Ontario. He also served as the Children's Lawyer responsible to the Attorney General for the delivery of legal services on behalf of children before the courts and tribunals of Ontario. He has written numerous articles for publication and has lectured at many national and international conferences relating to his work as Children's Lawyer. Over the years, Mr. McTavish has served on several Boards of Directors for various arts and social service organizations in Mississauga.

## Board Member Biographies continued ...

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**Elaine Newman**, called to the bar in Ontario in 1979, is a Toronto labour management arbitrator and mediator, providing service in private and public sector matters, across the province.

Mrs. Newman is also the Associate Director of the LLM program in Labour Relations and Employment Law at Osgoode Hall Law School, and lead instructor in the Advanced Certificate Program in Dispute Resolution at Atkinson Faculty, York University.

After practicing general litigation and management labour relations in private practice, and then serving as head of litigation for the Advocacy Resource Centre for the Handicapped, Mrs. Newman served as senior counsel, and then as Vice Chair, of Ontario's Workers' Compensation Appeals Tribunal. She is a frequent speaker and trainer in the administrative justice sector, as well as in the field of labour relations and human rights.

**Stanley Newman** of Toronto, has 21 years experience in the Criminal Justice System. He has six years experience as a Federal Corrections Psychologist as well as an academic background in the field of psychology. In addition, he has 15 years experience as a member of different quasi-judicial administrative tribunals.

**John R. Radmore** of Manotick is a Senior Investigator and Manager in the law enforcement environment. He has extensive background in investigation, mediation, report preparation and problem-solving. He worked with the Ottawa Police Service as a Background Investigator, responsible for investigating the background of police candidates for the hiring process. He also worked as an instructor in the Police Foundations Program at the Algonquin College. He held several positions with the Ottawa-Police/Ottawa Carleton Regional Police Service between 1975 to 2001. Mr. Radmore is a graduate of Cegep College with a degree in Social Sciences, Ontario Police College and Canadian Police College.

**Sharon A. Saunders** of Guelph received her Bachelor of Applied Science degree from the University of Guelph and her Volunteer Management Certificate from Conestoga College in Kitchener. She has been involved in victim issues, often acting in a volunteer capacity, for many years. Ms. Saunders developed and implemented the first police-partnered victim services program in Wellington County as Chair of the Planning/Advisory Committee and Board President, assisted with a community crisis and support line as a Program Manager, co-founded a community education initiative, and worked for two supervised access programs in Guelph and Hamilton. In addition, she has considerable experience in dealing with mental health and crisis intervention issues, including acting as a trainer for a number of community groups on crisis intervention and suicide prevention.

## Board Member Biographies continued ...

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**Gail Scott** of Toronto, graduated with a Bachelor of Arts in English and French in 1964 and received her Graduate Diploma in Journalism in 1966, both from Carleton University in Ottawa. Her work in Television for 18 years included being National Assignment Editor for CBC Television Network, as well as Parliamentary Correspondence – Ottawa, Host/Field Producer for W5, and Host of Canada AM for the CTV Television Network. Ms. Scott has taught extensively over a ten-year period for the faculty of Journalism at Ryerson Polytechnical University and served as Commissioner of the CRTC between 1987 and 1998. She is the past President and Director of the Michener Foundation Awards and a member of the Canadian Women in Communications.

**Atam Uppal** has served the province of Ontario in several professional and executive positions. He worked in the Ministry of Finance as an Economist and Senior Policy Advisor, and later was the founding Director of Operations of a large Crown Corporation. After early retiring, Mr. Uppal provided consulting services to public and private sector clients in many jurisdictions including the UK, Australia, South Africa, Egypt, Jordan and Nepal. He is an active participant in several voluntary community programs. His alma maters include Punjab University in India, Bishop's University in Quebec, and Guelph University in Ontario.

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