



December 22, 2020

Ms. Susan Fisher-Clément
Manager, Canadians Victimized Abroad Fund
Department of Justice, Programs Branch
284 Wellington Street, 6th Floor
Ottawa, Ontario K1A 0H8

Dear Ms. Fisher-Clément,

The Canadian Resource Centre for Victims of Crime is a federal not-for-profit organization dedicated to providing help and support to victims of crime across Canada. This includes Canadians victimized while traveling or living abroad. At this time, we are writing on behalf of Mr. Ryan Sparks who was sexually assaulted in the summer of 2000 at Whakapapa Resort in New Zealand.

At present, the Canadians Victimized Abroad Fund (CVA Fund) only supports expenses incurred for crimes that took place after April 1, 2007. The CRCVC is proposing that this criterion be re-assessed. The Canadians Victimized Abroad Fund states that the Director-General responsible for the management of the Victims Fund, retains the discretion to make exceptions to these guidelines where the rationale for the exception is clearly articulated and consistent with the objectives and limitations of the Victims Fund.

The one objective of this fund is to improve access to justice for victims and survivors of crime. It is an irrational expectation for individuals like Mr. Sparks, who were victimized abroad before April 1, 2007, to not need access to the CVA Fund for professional counselling, and/or other expenses that are a result of being a victim of crime. Victims and survivors can not be expected to disclose assault, access services, or heal from trauma within a certain time frame. There are many challenges and limitations in disclosing sexual assault, especially for men.

In 1983, the Criminal Code's definition of sexual assault was amended so it would apply to men and women equally. Yet, many people still believe that sexual assaults do not happen to men and boys, where 1 in 6 boys will be victims. This is simply not true. In reality, many men fail to report their victimization and so, the statistics available on the prevalence of these crimes are limited. Although reporting for male victims is becoming more common, there is still a delay at the rate at which they report.

Sexual assault can leave a male feeling confused about his sexual identity, mistrustful of others, angry, guilty, embarrassed, and ashamed. Male victims may have flashbacks of the assault, nightmares, and feel like hurting themselves or others. Mr. Sparks has experienced many of these effects and has experienced other challenges since the assault in 2000.

It is, therefore, crucial to have the proper supports in place, such as access to on-going financial assistance for continued access to mental health and rehabilitation services.

Sexual assault is an emotionally, physically, and psychologically destructive crime. Each year, thousands of Canadian men, women, and children suffer serious trauma as a result of this crime. Sexual assault leaves its victims confused, angry, ashamed, and fearful. Admitting to having been sexually assaulted is not an easy task, especially if the perpetrator is someone known or trusted, which is the reality for Mr. Sparks. Victims of this crime should be encouraged to get the help and support they need. With time, most victims can heal and move on with their lives. Having a strong support system in place is an important factor in recovery.

Mr. Sparks had to continue seeing and working with his abuser at multiple events due to the nature of his work at the time. This added to the distress and mental health challenges Mr. Sparks acquired from the abuse. Mr. Sparks is in dire need of counselling and support at this time due to his victimization. It does not matter when the abuse occurred, the ongoing mental health, confidence, and coping challenges are still very present and very real.

In addition to the mental health challenges stemming from the sexual assault, Mr. Sparks also lost his business as a direct result. After the assault took place, Mr. Sparks lost his sense of stability and normalcy in his life. He was removed from staff and also banned from skiing and attending events at Sun Peaks, B.C., for 12 years without cause. The stress associated with this loss of income furthered his trauma.

As stated above, sexual assault is an emotionally, physically, and psychologically destructive crime. Mr. Sparks' experience was exacerbated due to the backlash he received from the ski resort community. As a Canadian citizen who was sexually assaulted while abroad, Mr. Sparks needs support.



The CRCVC is advocating that an amendment be made in regards to the eligibility guidelines for CVA Fund. On behalf of Mr. Sparks, we respectfully request a meeting with you at your earliest convenience to discuss the issues previously mentioned, as well as how crimes committed abroad against Canadians are viewed in Canada.

We look forward to your response.

Sincerely,



Aline Vlasceanu

Executive Director

CC: Heidi Illingworth, Federal Ombudsman for Victims of Crime



Department of Justice Canada

Ottawa, ON
K1A 0H8

February, 23, 2021

Ms. Aline Vlasceanu
Executive Director,
Canadian Resource Centre for Victims of Crime
100-141 Catherine Street
Ottawa, ON K2P 1C3

Dear Ms. Vlasceanu,

I am following up on your letter of December 22, 2020, written on behalf of Mr. Ryan Sparks, and the subsequent phone conversation that took place between Departmental representatives and yourself to discuss the request and recommendations outlined in the letter. I would like to summarize our response in writing.

As you are aware, the Canadians Victimized Abroad Fund was established in 2007 to fill the gap for Canadians who have been victimized outside of Canada and who are not eligible for assistance under the various provincial victims programs and services. The Department does not have the authority to approve financial assistance to individuals victimized prior to the date of the Fund's establishment. In your letter, you propose that the Director General responsible for the management of the Victims Fund use their discretion to make an exception to the Canadians Victimized Abroad Fund guidelines to allow Mr. Sparks' application to be considered. As we explained during our conversation, the Director General's discretion to make exceptions extends to eligibility criteria in the guidelines and does not extend to victimizations prior to the Fund's establishment.

We acknowledge your recommendation that proper supports be in place for victims, such as access to on-going financial assistance for continued access to mental health and rehabilitation services. We agree that having strong supports in place is an important factor in recovery. The Canadians Victimized Abroad Fund has a limited envelope to provide financial assistance and as per the guidelines, assistance for professional counselling or therapy is available to eligible applicants up to a maximum of \$5,000 over a period not exceeding five years following the incident. While we are not in a position to offer financial support to Mr. Sparks, we would like to refer him to the following specialized resource in Nova Scotia which may be of support to him: The Peoples' Counselling Clinic: www.thepeoplescounsellingclinic.ca.

I would like to assure you that we have taken note of your recommendations and they will be considered during the next review of the Department's criteria for financial assistance under the Canadians Victimized Abroad Fund.

Thank you for taking the time to write and speak with us.

Kind regards,

Susan Fisher-Clément

Susan Fisher-Clément
Program Manager, Canadians Victimized Abroad Fund