

## WHAT DOES IT MEAN TO BE A VICTIM OF SEXUAL ABUSE?

Although many victims of sexual abuse share some common experiences, how the abuse will affect your life will vary depending on your personal circumstances. **For example, you may be experiencing any of the following:** Alcohol and/or drug abuse; sexual dysfunction or inability to engage in intimate relationships; difficulties with the law; depression; suicidal thoughts; trust issues; difficulty with people in authority; emotional difficulties, feelings of anger, guilt and shame; and problems in interpersonal-relationships.

Counselling, therapy or joining a support group will be an important part of your healing process.

### For further information/referrals contact:

#### **The Canadian Mental Health Association**

www.cmha.ca

#### **Victim's Assistance Online**

www.vaonline.org

#### **Ontario Network of Sexual Assault Centres**

www.satontario.com

#### **Male Survivors**

www.malesurvivor.org

#### **Survivors of Religious Abuse**

www.snapnetwork.org

### SPEAKING OUT

For some people, speaking out against the abuser is necessary to deal with the past abuse and find closure. Victims may also be provided with financial compensation. IF YOU PLAN TO PURSUE ANY OF THE OPTIONS DESCRIBED IN THIS PAMPHLET, **SEEKING PROFESSIONAL HELP IS HIGHLY RECOMMENDED.**

# LEDROITBECKETT

## LITIGATION LAWYERS

The firm of Ledroit Beckett was established in 1999 by Paul Ledroit and Chris Beckett.

The Firm has established a **Sex Abuse Department** which involves five lawyers and a client support worker, who work on a wide variety of sexual abuse claims.

### FIRST CONSULTATIONS ARE FREE.

In 2004 Ledroit Beckett obtained a \$1.4 million judgment (with an additional \$400,000 in interest) in a case of clergy sexual abuse of children, against the Roman Catholic Diocese of London. The Ontario Superior Court decision is available online at: <http://www.canlii.org/eliisa/highlight.do?text=Glendinning+&language=en&searchTitle=Ontario&path=/en/on/onsc/doc/2004/2004canlii5011/2004canlii5011.html>

In addition to sexual abuse lawsuits, the firm is the Provincially approved and funded legal representative for the *Victims Group* at the Ontario Public Inquiry in Cornwall, investigating allegations of sexual abuse of young persons.

For further information, please visit our website [www.ledroitbeckett.com](http://www.ledroitbeckett.com)

or contact us at:

630 RICHMOND STREET,  
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## VICTIMS OF SEXUAL ABUSE BREAKING THE SILENCE

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WHAT CAN YOU DO WHEN YOU'RE  
READY TO SPEAK OUT?

### EXPLORING YOUR OPTIONS:

THE CRIMINAL JUSTICE SYSTEM

CIVIL LITIGATION

THE CRIMINAL INJURIES  
COMPENSATION BOARD

PREPARED BY

**LEDROITBECKETT**  
LITIGATION LAWYERS

## MAKING A CRIMINAL COMPLAINT

Under the criminal justice system, you may bring a complaint against the person who sexually assaulted or abused you. This could lead to a criminal charge and conviction, which might result in a jail sentence for the abuser. The Victim/ Witness Assistance Program of the Attorney General's office will be available throughout this process to answer your questions and voice your concerns. Find out more information on victim/witness assistance online at: [www.attorneygeneral.ius.gov.on.ca/english/about/vw/vwap.asp](http://www.attorneygeneral.ius.gov.on.ca/english/about/vw/vwap.asp)

**Step 1 – Contact the Police:** Bring the matter to the attention of your local police service. Depending on the city you are in, there may be a special division set up to deal with sexual abuse or assaults. After you have reported the crime, there will be an officer assigned to investigate.

**Step 2 – The Investigation:** The investigating officer will interview you, take your statement, and gather evidence about the crime.

**Step 3 – Laying a charge:** If there is enough evidence against the abuser, the police will lay a charge.

**Step 4 – The Criminal Trial Process:** Once a charge has been laid, the accused will have to go to Court and either plead guilty or not guilty, which could mean that there will eventually be a criminal trial. You might be required to give evidence at the trial or your Victim Impact Statement might be read.

There is no financial compensation available from the criminal process, but it may comfort you to know that the abuser has had to face the serious criminal consequences for the crimes he or she has committed against you. Criminal prosecution also helps protect society from the abuser in the future.

## THE CIVIL PROCESS

The injuries you have suffered from the abuse may be financially compensated under the civil system. A successful law suit against your former abuser will result in an award of damages by a Court if your case goes to trial, although approximately 90% of civil law suits are resolved without a trial, through negotiation.

**Step 1 – Contact a Lawyer:** A lawyer will help you determine if a law suit is a good idea in your situation. He or she will be able to explain the process and help you determine who you can sue. Depending on whom the abuser was and the circumstances of the abuse, there may be other people legally responsible for the abuse (for example, the employer of the abuser, if the abuse occurred in the course of that person's employment). It also may not be practical to sue only the abuser. For example, if that person has no money or assets, they will not be able to compensate you for your losses.

**Step 2 – The Claim:** The lawyer will start the claim (law suit) on your behalf with the Court, after he or she has gathered enough initial information to support your claim.

**Beyond the Claim:** The legal process is complicated and difficult to summarize here. Your lawyer will work with you to gather evidence to support your case up to the time of trial. A trial may not be necessary at all, if the other side agrees to pay you an amount to settle your claim.

**TO FIND A LAWYER, YOU CAN CONTACT THE LAWYER REFERRAL SERVICE AT 1-900-565-4577 (\$6). THIS AREA OF LAW IS UNIQUE AND IT IS RECOMMENDED THAT YOU FIND A LAWYER WITH EXPERIENCE IN SEXUAL ABUSE CASES. SOME LAWYERS WILL TAKE ON YOUR CASE WITHOUT ANY PAYMENT UP FRONT (“CONTINGENCY”).**

## CRIMINAL INJURIES COMPENSATION BOARD

The “CICB” is a government body that awards financial compensation to victims of crimes of violence that occurred in Ontario, including sexual assault. A claim should be filed with the Board **within two years** from the date of the incident, although an extension may be granted.

**Step 1 – The Phone Call:** A CICB representative will ask questions about the crime and injury to decide if you are eligible.

**Step 2 – The Package:** If eligible, you will be sent a package of claim forms to be filled out and returned to the CICB.

**Step 3 – Gathering Supporting Documents:** A CICB compensation analyst will work with you to locate documents to support your claim, such as police reports, medical reports and witness statements. A criminal conviction is considered conclusive proof of the event and in that case, only damages (injuries) must be proved.

**Step 4 – The Hearing:** There will be either an oral hearing or written hearing to decide the amount of award, if any. There are hearings in 20 cities in Ontario, including London and Kitchener. The hearing usually takes place 12-24 months after the initial phone call.

**How Much?** The amount of the award depends on the severity of the injuries. The maximum is \$25,000.00 per occurrence. .

### **Further Information:**

**Website:** <http://www.cicb.gov.on.ca>  
**Phone:** 1-800-372-7463  
**Address:** 439 University Avenue, 4th Floor  
Toronto, Ontario  
M5G 1Y8