



Ontario Coalition of  
Rape Crisis Centres

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## Ontario Coalition of Rape Crisis Centres (OCRCC) responds to recent developments in the Ghomeshi case:

In 2014, when allegations of violence against women were first brought against Jian Ghomeshi, many responded with disbelief: but as [disclosures about Ghomeshi from women piled up](#)<sup>1</sup>, a different reflection began. The disclosures sparked important conversations in the public about the prevalence of unreported sexual assault in Canada. It also questioned the adequacy of the criminal justice system, and the many reasons why survivor-victims do not report—or in many cases, tell anyone at all. [Survivors of sexual violence](#) agreed, sharing their stories about the limitations of the criminal justice system and the enormous barriers that survivor-victims face.

Today, we have learned that [Ghomeshi will avoid a second sex assault trial in June 2016 by signing a peace bond, and the charges will be dropped.](#)

We are not in any way surprised by this development in the Ghomeshi case. On the contrary, we acknowledge that our current system is rife with problems that do not make the court process easy for sexual violence survivors.

As survivor advocates, we support what the survivor wishes and can imagine the complexities any survivor faces in preparing for court. For example, oftentimes survivors choose to forgo the charges because:

- they simply want the case to be over
- they do not wish to testify
- they fear being cross-examined in court. We know that the credibility of victim-survivors, for example, is too-frequently questioned when reporting sexual assault<sup>2</sup>. The Canadian criminal justice system – a system based largely on verbal testimony, physical evidence, and the credibility of the complainant – commonly proves less accessible to those assaulted by an offender that is known to them or in historical cases
- they may have come to understand or been told that their case has a low chance of prosecution. As advocates, we know that, [conviction rates are very low](#), which de-validates the experiences of survivors; and works to suggest that sexual assault is a commonly-falsified or rare crime
- they are worried about the consequences of sharing their story. We know that too often, a “victims’ apparent lack of resistance becomes the focus of assessment and intervention”<sup>3</sup> in court and other reporting procedures. This is [an unsuitable approach to understanding and substantiating sexual violence](#)
- ...and many other reasons
- In addition, sometimes it is the Crown's recommendation to drop the charges, and not the survivor's top choice.

OCRCC notes that this – peace bond for dropped charges – is yet another example of how sexual assault reporting-attrition and prosecution attrition occurs in Canada every day: According Canadian research<sup>4</sup> 33 out

<sup>1</sup> Eight women in total informally shared their experiences with The Toronto Star (for a summary, see: [http://www.thestar.com/news/gta/2014/10/29/jian\\_ghomeshi\\_8\\_women\\_accuse\\_former\\_cbc\\_host\\_of\\_violence\\_sexual\\_abuse\\_or\\_harassment.html](http://www.thestar.com/news/gta/2014/10/29/jian_ghomeshi_8_women_accuse_former_cbc_host_of_violence_sexual_abuse_or_harassment.html)). Three chose to report to the police.

<sup>2</sup> Vopni, V. “Young Women’s Experiences with Reporting Sexual Assault to Police” in *Canadian Woman Studies* 25 (1,2) (Winter/Spring 2006), 110

<sup>3</sup> Coates, L. and Allan Wade. “Telling it Like it Isn’t: Obscuring Perpetrator Responsibility for Violent Crime”. *Discourse & Society* 2004: 15, 503

<sup>4</sup> Patel, A. October 30, 2014. for Huffington Post Canada. 460,000 Sexual Assaults In Canada Every Year: YWCA Canada. Online: [http://www.huffingtonpost.ca/2014/10/30/sexual-assault-canada\\_n\\_6074994.html](http://www.huffingtonpost.ca/2014/10/30/sexual-assault-canada_n_6074994.html)

of every 1,000 sexual assault cases are reported to the police, and just 29 are recorded as a crime. While these numbers speak volumes about how many assailants walk free, and why women may be afraid to press charges against their abusers, we add that [sexual assault is also a difficult crime to prove](#) — there are rarely any witnesses and not always physical evidence.

Survivors of sexual violence can and ought to feel they have the right to report: but they will also need information, support -- and alternatives to reporting, should they choose not to. We recommend strategies, solutions and support services *that start by believing survivors who disclose their stories of violation, and understand these stories as serious.*

**In response to the recent Ghomeshi case developments, the Ontario Coalition of Rape Crisis Centres reaches out to those affected by sexual violence in Ontario.** We affirm (as we have from the very beginning) that sexual violence cases are not often resolved through the criminal justice system<sup>5</sup>.

**If something has happened to you, there are people who will believe and support you.** You can talk to a trusted friend, family member, or contact a sexual assault centre support line. If you are considering reporting, we can help you think through your options. If you are not considering reporting, that's okay too. All calls are free and confidential. You can access a sexual assault centre from any community across Ontario: go to [www.sexualassaultsupport.ca](http://www.sexualassaultsupport.ca).

**If you are a friend or family member of someone who is dealing with sexual violence, there are things you can do too.** You can be an ally to the person who is victimized, instead of the accused. You can listen to the person's story without judgement, scrutiny or expectations that they formally report. You can help them to find safe places to seek additional support, if needed, too.

OCRCC recognizes the impact of sexual violence in Ontario. We believe that education and information goes a long way toward the prevention of violence. Together, we will make a difference.

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<sup>5</sup> The Learning Network. *The Network Comes to Life*. May 2012: 2. Available online: [http://www.vawlearningnetwork.ca/sites/learningtoendabuse.ca.vawlearningnetwork/files/LN\\_Newsletter\\_May\\_2012\\_Issue\\_1.pdf](http://www.vawlearningnetwork.ca/sites/learningtoendabuse.ca.vawlearningnetwork/files/LN_Newsletter_May_2012_Issue_1.pdf)