

Crime Victim Assistance (General) Regulation

Q&A on Regulatory Changes

1. What changes are being made to the Crime Victim Assistance (General) Regulation?

- Building on the legislative amendments announced earlier this fall, changes to CVAP's regulation will further strengthen the support available to victims, immediate family members, and witnesses through the Crime Victim Assistance Program (CVAP) by:
 - Significantly increasing the rates CVAP can pay for counselling services, which has been a priority issue for modernization,
 - Adding new offences to the list of those covered by the CVAP, including offences that protect victims of gender-based violence, online sexual exploitation, and human trafficking, and
 - Expanding access and rates to certain benefits required in some of the most serious cases.

2. Are the changes effective now?

- Amendments to the legislation and the regulation take effect **January 1, 2024**.

3. Are the changes retroactive?

- The changes are not retroactive. The increased counselling rates will apply to eligible counselling sessions that occur after **January 1, 2024**.
- Other changes, including expanded eligibility and increases to certain benefit caps will apply to applications where the crime occurred on or after January 1, 2024.

4. What are the new maximum rates for counselling services?

- **Type 2 Counsellors** (Undergraduate Degree or Diploma): Rate increase from \$60 to \$85/hour
- **Type 3 Counsellors** (Graduate Degree): Rate increase from \$80/hour to \$135/hour
- **Type 4 Counsellors** (Registered Social Workers): Rate increase from \$95/hour to \$135/hour
- **Type 5 Counsellors** (Registered Psychologists): Rate increase from \$105 to \$205/hour

5. When can the Crime Victim Assistance Program (CVAP) pay at the increased rates?

- CVAP will pay at the increased rate only for eligible counselling sessions that occur after January 1, 2024.
- If a client pays the cost of counselling services up front and seeks reimbursement from CVAP, they will be reimbursed up to a maximum of the higher rate for eligible counselling sessions that occur after January 1, 2024.

6. Are there other changes that impact counselling benefits?

- Yes. There are two existing types of counselling services that are being removed from CVAP's regulation, which means they will no longer be eligible for funding as a benefit:
 - Type 1: In this category, counselling services are provided by a professional with high school graduation and one relevant continuing education course a level of education; this level of education is no longer viewed as sufficient to provide services to CVAP clients. CVAP will be reaching out directly to counsellors registered in this category.
 - Type 6: In this category, limited funding has been available for group counselling. This has rarely been requested or used by CVAP clients.

For CVAP clients who are actively involved in counselling with a Type 1 counsellor, a 6-month grace period will be provided to ensure the client has support in transitioning to another counsellor who is registered with CVAP.

7. What are the amendments to the Crime Victim Assistance Act (CVAA) announced earlier this Fall?

- Amendments to the CVAA address critical gaps, including barriers to eligibility and access to benefits, that negatively impact the people CVAP was created to assist by:
 - Expanding access to benefits such as counselling for grandparents and grandchildren by removing the requirement that they were financially dependent on the victim to be eligible for benefits;
 - Expanding the definition of witness by removing the requirement that a witness had a strong emotional attachment to a victim, which is a significant barrier to eligibility for those who witness violent crime in their communities; and,
 - Extending the time limit for making an application for benefits from one year to two years, which will align with the time limit for civil claims in BC and is consistent with the approach taken by similar programs in other Canadian jurisdictions.
- The amendments also improve the responsiveness of CVAP by enabling greater flexibility, improving accessibility, and modernizing language throughout the statute.