

## **Crime Victim Assistance (General) Regulation Q&A on Regulatory Changes**

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

- Changes to the regulation will further strengthen the support available to victims, their immediate family members, and witnesses available through the Crime Victim Assistance Program (CVAP) by:
  - Bringing into force legislative amendments introduced earlier this fall that expand access to benefits for grandparents, grandchildren, and witnesses, as well as increasing the time limit for making an application to CVAP;
  - Adding new offences to the list of those covered by CVAP, including offences that protect victims of gender-based violence, online sexual exploitation and human trafficking;
  - Significantly increasing key benefit rates, including the rates paid for counselling services, and
  - Expanding access to benefits required in some of the most serious cases, including vehicle acquisition for victims with significant long-term physical injuries, bereavement leave for immediate family members in fatal cases, and crime scene cleaning expenses for immediate family members and witnesses in non-fatal cases.

### **2. Which new offences are being added to the list of those covered by CVAP?**

- The following Criminal Code offences are being added to the list of prescribed offences in CVAP's regulation:
  - s.160                Bestiality
  - s.162                Voyeurism
  - s.162.1             Publication of an intimate image without consent
  - s.171.1             Making sexually explicit material available to child
  - s.172.1             Luring a child
  - s. 172.2            Agreement or arrangement – sexual offence against a child
  - s.173                Indecent acts (only if done for a sexual purpose); Exposure
  - s.279.01            Trafficking in persons
  - s.279.011          Trafficking a person under the of eighteen years
  - s.320.102          Conversion therapy
  - s.465                Conspiracy to commit murder

**3. In addition to counselling rates, which benefit rates are being increased?**

- The benefit rate available for eligible funeral expenses will now be payable up to \$8,000.
- The benefit rate available for eligible crime scene cleaning expenses will now be payable up to \$4,000.

**4. Are the changes effective now?**

- The amendments to the legislation and the regulation take effect **January 1, 2024**.
- CVAP will be reaching out to service providers who support victims, immediate family members and witnesses in the coming weeks to offer opportunities to learn more about how the changes will impact those they serve.

**5. Are the changes retroactive? (i.e., Will past applicants benefit from these amendments?)**

- The changes are not retroactive.
- The amendments to the legislation and the regulation will apply to applications pertaining to a crime that occurred on or after January 1, 2024.
- Throughout the legislation, eligibility is associated with the date of the crime, and these changes will follow suit to ensure that all applicants seeking benefits in relation to the same crime receive the same consideration.
- The exception is the increased counselling rates: they will apply to counselling services provided after January 1, 2024.

**6. Will additional information be made available about these changes and their impact on potential applicants?**

- Yes. Information will be provided in the coming weeks regarding opportunities to learn more about how the changes will impact those looking to access support and services through 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.