

Adding Insult to Injury
Backgrounder – CICB's Problems Were Well-Known

The Criminal Injuries Compensation Board's problems date back more than a decade. As reported in *Adding Insult to Injury*, they are both structural and cultural. The Board must take any awards it makes out of its own budget, which, as in many other areas of government, is under tight scrutiny. This places it in the untenable position of balancing what it gives to victims against other financial demands.

The Board's workload has grown steadily over the years while its budget has stayed about the same – and in recent years, has been targeted for cuts. At times, the Ministry has ordered the Board to delay or even withhold paying compensation so it would not exceed its budget – contrary to the law that established the Board as an independent, quasi-judicial tribunal. When the Board has gone over budget, it has been repeatedly bailed out with cash infusions from the Victim Justice Fund.

Financial pressures have exacerbated a culture of delay and bureaucratic inertia within the Board, which has hurt crime victims. Documents reviewed in this investigation revealed these problems were well-known within the Board and the Ministry of the Attorney General. One Ministry e-mail suggested the “Ministry may be vulnerable to criticism by the Ombudsman and PO [Premier's Office] should what we have learned about the CICB's current status and practices get out...” The Board's Chair wrote to the Attorney General that agreeing to delay and withhold payments for budget reasons “is in direct conflict with my responsibility as Chair of the Board and a disservice to victims.” The Board warned the Ministry last year that “the system is clearly broken and is impacting the services provided to victims.” Even speaking notes for the Attorney General for a February 2006 Cabinet committee meeting acknowledged that the Board's multi-year backlog “delays healing and can prolong victimization.”

Ministry proposals to overhaul the Board have been batted around since 1996 and have intensified in the past five years. They included such radical options as scrapping the Board altogether in favour of a set system of payments based on type of injury, cutting its budget in half, raising compensation funds through private donations, offering all victims the same limited payment, or substituting counselling for compensation in all but the gravest cases. But none has been implemented to date, and serious consultation with crime victims has been lacking.

The Ministry has now agreed to accept all of the Ombudsman's recommendations in this report, and to have a plan in place by August 15. The CICB initially did not commit to implementing any of the recommendations, but advised the Ombudsman on Feb. 21 that it “welcomes” them and will submit a plan of action by March 31.