



Angels of Hope Against Human Trafficking Legal Booklet



2026

Contents

03	Hi there - We're here to help	20	Verdict, Sentencing, & Safety
05	Let's Make a Change	22	Francophone Supports
06	Knowing your Rights as a Victim	24	Myth & Preconceptions
09	Talking to the Police	25	Trauma & Continued Healing
13	After the Police	26	Terminology & Abbreviations
15	Testifying	29	Phone Numbers & Websites
16	The Court System	30	Citations & Reproducing Materials
18	R v. Jordan		

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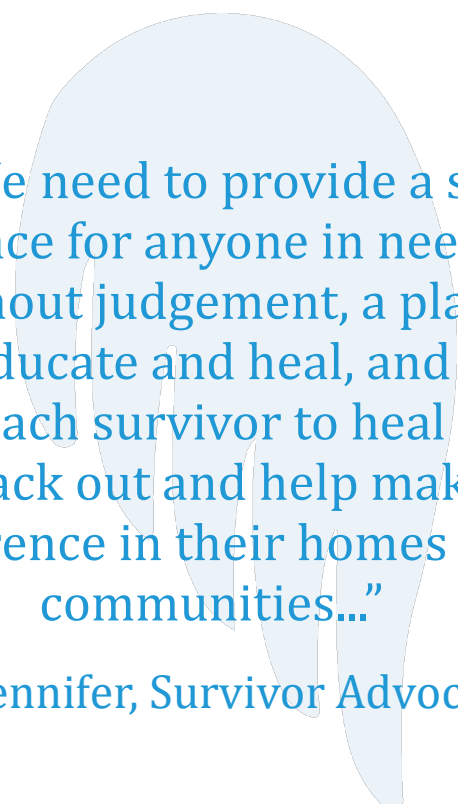


Hi there - We're here to help

Making a choice that uproots the stability of your current existence, even if that choice is one that improves the safety and quality of your life, is terrifying. The vast unknown can be more frightening than even a terrible situation. Angels of Hope Against Human Trafficking (AOH) is here to ensure you never have to walk into that new unknown alone.

This booklet has been made to help you work through the legal system. This may be because you're coming to the realization that the situation you are in might not be serving you as well as you had hoped, or you may be starting to feel unsafe. You may even be feeling like you need help to talk to someone about some of your experiences with officials, or you are in a situation that is now requiring you to come forward.

We don't judge. Our situations are all different. If there's one thing that we all have in common, it's having to make scary choices. You will not be alone in these decisions, not if you want us to walk alongside you on this journey.



“...We need to provide a safe place for anyone in need without judgement, a place to educate and heal, and allow each survivor to heal and go back out and help make a difference in their homes and communities...”

- Jennifer, Survivor Advocate

We took the time to speak with a member of the Greater Sudbury Police Service (GSPS) who has been specifically trained to work with people that have experienced human trafficking, as well as an Assistant Crown Attorney who walked us through the court system. If you've been through it before then you may already know this, but the legal system experience is nothing like what we see in movies or on television. For one, it's slower, but it's also kinder to the victims of crime.

And if you're reading this, that is what you are experiencing: victimization. This is **not** your fault, and it's **OK** to feel conflicted, guilty, angry, happy, sad, or any sort of way that you're feeling right now.

Our hope is that this booklet will make you feel safer and more certain of the choice you are making, or are thinking of making. And one last thing: all of us are at different stages of knowledge, life experience, and education. The language in this booklet is meant to be understood by everyone, no matter where you are on that journey.



Let's Make a Change

Change is never immediate. It is a circle that moves in phases. These phases can last for different lengths of time, come and go in and out of order, and more.

People start to think about change in the pre-contemplation stage. This is where you are thinking 'It's time for something different,' but you're not really making plans or actively pursuing making that change yet.

When a person is ready to make plans and devote serious time to realistic goals for change, they enter the contemplation stage. You might be here, right now. Maybe you're thinking it's time to stop being a victim and start being a survivor.

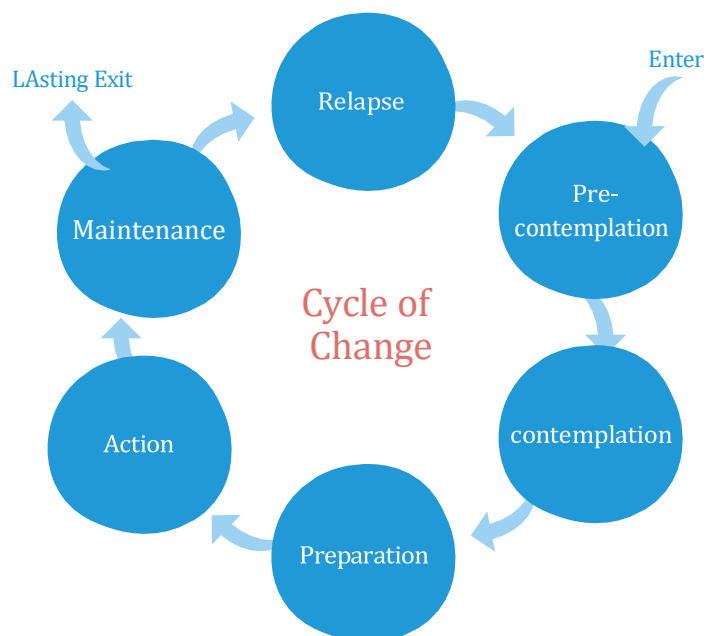
Preparation is when it's time to go. You've thought about things long enough, and now you have plans; you have everything lined up. You've tried to think of everything and make sure everything is ready to go.

When preparation is done, it's time for action. This is the physical movement of change. It could be going online to file a police report. It could be walking through the doors of a police station. It could be talking to a counsellor or an agency about needing help to change your situation.

Finally, you are certain that you are ready and the goal is to keep up with the new changes you've made in your life. You're ready to stay with it even when it gets really scary and your mind starts playing games with you to go back. This is when you've reached the maintenance stage.

This stage is about making sure that you don't go back into the situation and circumstances that derailed you earlier, whether it's not associating with certain people, not using substances, or moving to a different community. There are a lot of ways to maintain your new 'normal'.

Lastly, let's discuss relapse. Whether the change is healthier eating or a cessation of drug use, it happens to all of us. Relapse is normal – not ideal, but normal. When you're ready, you can begin the cycle again. Or slip back into maintenance. Or maybe skip right to action. The circle's stages aren't ironclad and often don't go in order. So, don't worry if you spin around this circle of change like a spinning top.



Knowing your Rights as a Victim



Canadian Victim Bill of Rights

As a person who has experienced the horrors of being trafficked, you are a survivor and a victim of crime. As such, you have rights, and it's important that you know what they are. This information is available on the Government of Canada website, but we'll sum it up. For full details, visit <https://www.justice.gc.ca/eng/cjpp/victimsvictimes/rightsdroits/victim.html>.

Right to Information

Information about the criminal justice system and your role in it, as well as available programs and victim services, is available to you as a victims' right. All you need to do is request this from the Crown Attorney's office and it should be made available to you. You also have the right to have the information, on request, about the investigation, prosecution, and sentencing of the accused who has harmed you.

This means you have the right to know what is going to happen to the accused, what is going to happen to you, and what the process is going to be like. It is okay to ask questions so you can be better prepared.

Right to Protection

You have the right to protection and for your safety to be considered through the entire stage of the legal process. This can be protection from retaliation to having your identity hidden from the public.

Right to Participation & Right to File Complaint

You have the right to present a victim impact statement to describe how the crime has affected your life and your health, as well as the right to share your views on the legal process. You have the right to file a complaint if you believe these rights have been breached.

Right to Seek Restitution

You may ask the court to consider an order of financial restitution if you have had specific financial losses. You have the right to request that unpaid restitution be enforced as a civil debt – wage garnishing, for example.

Other Notes about your Rights

Your rights as a victim begins when the investigation begins, and goes all the way through to a person's finding of innocence, to the conviction and potential appeals, and through to the imprisonment of the convicted, as well as any release hearings.

Your rights have limitations. Your rights cannot impose upon the rights of others, or that of the public good. For example, police may not reveal all of the information of their investigation because that information, if released broadly, would potentially ruin the investigation.

Ontario Victim Bill of Rights

The Ontario Victim Bill of Rights is similar to the Canadian Victims Bill of Rights. However, if you live in Ontario and have been a victim of a crime, becoming familiar with this bill can help you better understand the court process.

The *Victims' Bill of Rights, 1995* in Ontario, along with the federal *Canadian Victims Bill of Rights (2015)*, provides a legal framework designed to ensure victims of crime are treated with courtesy, compassion, and respect for their dignity and privacy. It entitles victims to specific information, protection, participation, and restitution throughout the criminal justice process. Here is a summary of the key rights and features:

Core Rights for Victims

- **Information:** Victims have the right to information about available services, the progress of investigations, charges laid (or reasons if none are), court procedures, and the final outcome of the case. Registered victims can receive updates on an offender's location, parole, and escape.
- **Protection:** Victims have the right to have their safety and privacy considered by authorities, to be protected from intimidation or retaliation, and to request testimonial aids (e.g., closed-circuit TV or screens) when testifying.
- **Participation:** Victims can present a **Victim Impact Statement** to the court to explain the harm caused by the crime, which must be considered during sentencing.
- **Restitution:** Victims have the right to have the court consider making a restitution order for financial losses (such as property damage or medical expenses). If unpaid, this can be entered as a civil court judgment against the offender.

Key Ontario Features

- **Civil Action:** The Act makes it easier for victims to sue their assailants for damages (bodily harm or emotional distress).
- **Sexual Assault Specifics:** Victims of sexual assault can request to be interviewed by police officers of the same gender.
- **Victims' Justice Fund:** Money collected from victim fine surcharges (on provincial and federal offences) is used to support programs for victims of crime in Ontario.
- **Complaint Mechanism:** Victims can file a complaint if they feel their rights have been violated or ignored by provincial or federal authorities.

Limitations

- **No "Party" Status:** The Bill does not give victims the formal legal status of a party, intervenor, or observer in criminal proceedings.
- **Reasonable Application:** Rights are to be applied in a "reasonable" manner, meaning they should not interfere with the discretion of police/prosecutors or cause excessive delays.
- **Enforceability:** The Act is often considered more of a guide for authorities than an legally enforceable set of rights that can be easily litigated if violated.

For personalized assistance, victims can contact local victim services in Ontario to understand their rights and access resources.



Talking to Police



Even before you reach the point where you've decided to have a conversation with a member of a police service, you've likely gotten to know them. One of the bigger lessons police have learned in the fight against human trafficking within the past two decades is that the people trapped in these circumstances have a warped sense of reality. Reality has become what victims are living, and they develop skills, behaviours, and tricks to survive in their reality. Police have learned to understand that people, or victims, may think that others who haven't walked in their shoes will not be able to truly understand their situation.

Long before you use the internet to file a police report, make a phone call, walk in to a police station, or are arrested, chances are that the diligent constables and detectives working in the human trafficking sector will know about you. They will have been working to earn your trust and build you a bridge so that you can walk out of your situation.

Even if that's not the case, it's important to understand that the police are not there to cause

harm, to frighten, to threaten, or to lock you up. They are there to provide you with safety so you can make the choice to walk away from the situation you're in, and to help connect you with the tools you need to be safe, secure, and healthy while doing so.

When you decide to file a report with the police, one of two things have usually happened: you have built enough of a system of support around yourself to step forward and make a report, or you've been arrested. Let's talk about arrest first.

**I AM
SAFE**

Arrest

As mentioned before, victims of human trafficking survive by adapting to their situation. Sometimes this means that people stuck in this situation make choices that get them in trouble with the law, even though these choices are helping them to survive. Maybe you have persuaded others into trafficking. Maybe you have helped mule drugs. Maybe you have engaged in fraud or theft.

If you find yourself arrested, it's important to remember that you have options, including the right to engage legal counsel (a lawyer). We will talk about this a bit later in the legal section of this document. You do not ever have to speak to the police without a lawyer. If you don't want to talk to them, you have that right not to. It does not mean you are guilty or innocent, it means you are exercising your right.

When you are arrested, you will be taken to the police station. Then you will have your photos and fingerprints taken. You may have a blood alcohol sample or marijuana test taken if impaired operation was part of the charge. You will be placed in a cell until a bail hearing or released upon your own recognizance. It all depends on the seriousness of the charges pending against you and your previous record of encounters with the law. If you're released, you'll likely be given terms: to be of good character and behaviour which essentially means "don't do bad things".

Now, even though we have emphasized your right to not speak to the police without a lawyer present, the choice is up to you. If you want to change your life and get out of the human trafficking hell you've been in, this is a perfect chance to ask for help and explain your situation.



Filing a Report

Whether or not you're filing a report while arrested or on your own free will, the processes and options are essentially the same.

Over the Phone

You won't be able to complete the filing of a report over the phone, but you can get it started this way. Don't use 911 unless you're in physical danger; instead, contact your local police service's nonemergency line.

Greater Sudbury Police Service:	7056759171
Ontario Provincial Police:	8883101122
Wikwemikong Tribal Police:	7058593141
UCCM Anishnaabe Police:	7053777135

Online

Many police services now allow people to file complaints or reports online. Like the first option, online reporting helps get the process started and is an excellent way to open communication when verbal communication may be monitored. However, for it to go further than the initial contact, eventually inperson contact will be required.



If you wish to file a report online, you will need a valid email address, one which can be obtained easily and free from websites such as Gmail.com or Outlook.com. You must also complete the contact address information (see below image).

The image shows a screenshot of a web form titled 'Yourself'. The form contains the following fields: 'First Name', 'Middle Name', and 'Last Name', each with an asterisk indicating it is required. Below these is a section for 'Home Address' which includes a dropdown menu for 'Canada', a dropdown for 'St. #', a dropdown for 'St Name', a dropdown for 'St Type', a dropdown for 'Post Dir', a dropdown for 'Apt/Unit/P', and a dropdown for 'City' with 'Ontario' selected.

In Person

Whether you walk into the detachment to make a report, or this is followup from a phone conversation, email, or online report, you will meet with a detective/constable from the human trafficking department and will be interviewed. This can happen in an interview room, which is nothing like the barren, imposing cinderblock onewaymirror rooms you see on television. If you're making the report while not in custody though, the police will be happy enough to speak with you wherever you are safe and able to talk. This could be in your home, the home of family, in a healing lodge, or anywhere that you feel secure and where there's no danger to you or others.

When you are done, you will be given an incident report number. If you completed your report online, you will be emailed this information and a copy of the file. Police may interview you once - or more, depending on the information that you provide. There is also what's called the KGB video statement. This is an interview that will most likely be taken seasoned and specialized investigator or investigators from the Human Trafficking Investigation unit. KGB statement means that they will have a person come in with a bible to ask you to swear that you are telling the truth. If you prefer, you can request no bible. They will also read out a little info on what the KGB statement means. This can be a bit nerve wracking.

The investigator's job is to get as much accurate information, and a timeline, as possible so that they can build their case. They will ask very weird questions like "was there a picture on the motel wall", "what time was that", or "was it snowing or raining"? They may ask questions that make you feel like they don't believe you, but that is not the case at all. They need to gather information that they will go and back up with evidence later on so they can present it in court. They will also, of course, need this information so that they can find the accused and their associates.

They will also likely speak to people mentioned in your report, all while doing their best to respect your confidentiality and preserve your safety. An investigation does not always move quickly, and could take days, months, or even years to complete.



After The Police



When you have filed your report with the police, the next step is waiting. This can be a tedious, uncomfortable, and anxietycausing step for many people who are expecting a quick resolution like on crime television shows and movies. Stay in touch with your contacts at the police service, and keep your phone number, email address, and physical address updated as you move around and as life changes.

If you're making big changes to exit the human trafficking world, the police can help you connect with services like Angels of Hope Against Human Trafficking (AOH) and Victim Services, which are organizations designed to help you connect and support you with counseling, housing support, and personal safety. You may go into a health program to combat substance use disorders or help you to begin to rebuild fractured relationships with family and friends. Maybe you will be in jail. There are a lot of places that you can be in during this time, and every person's journey is different and progresses at different speeds.

How to access AOH services:

- **Call or email AOH directly to self-refer**
- **Have a service provider contact AOH on your behalf**
- **Complete the referral form available on the AOH website**

When the police have completed enough of their investigation that they feel that there is a good chance of charges resulting in a conviction, the file will be brought to the attention of the Crown Attorney's Office. The case is then reviewed by an Assistant Crown Attorney (ACA), and in the case of human trafficking, usually by the ACA specially trained to prosecute human trafficking cases.

You will be contacted and interviewed again, this time by the ACA. If you wish to have a lawyer present, that is your right. You can also request that someone from a support organization, such as Angels of Hope (AOH) or Victim Services, be present. If you feel safer in the company of the police officer with whom you've been working, he or she can be present too.

Once charges are ready to be laid, or if there's immediate risk to others, a person is arrested. They are processed at the police station, their mugshot and fingerprints taken, and are placed in a cell until their bail hearing. While it is possible a person could be released on their own recognizance, it is not a regular occurrence when the charges are serious - and serious is the label attached to human trafficking charges.

This is where your identity may be revealed, as the accused – the person arrested – has a right to disclosure. Disclosure is everything the police and prosecution have in their case files about the charges laid against the accused, including your name.

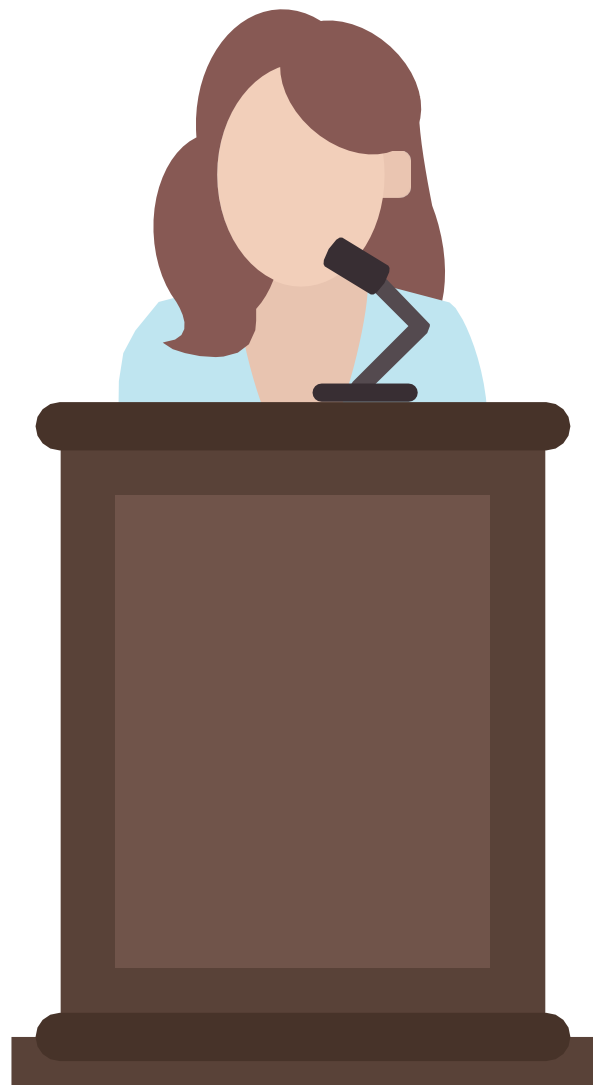
Because of this revelation, the courts and the police will work with you prior to connect you with services to help ensure your safety during the process. Coming forward to make a change for both you and for others trapped in slavery should be a safe process, and steps are taken to make it as safe for you as possible.

Once charges are laid, the prosecution has a set amount of time in which to proceed. If it takes too long to prosecute, the accused's right to a speedy trial, which is enshrined in the Canadian Charter of Rights and Freedoms, is violated.

You will likely be asked to testify. You may choose to not testify, and while the courts could force you

with a subpoena, the prosecution is aware that this only revictimizes survivors and will rarely make the decision to force testimony.

There is a cost if you choose to not testify. Your testimony is important to the case. Without it, the prosecution may not be able to proceed. The charges may be dropped, and then they cannot be brought again to the court(s) in the future. Even if the prosecution asks for a stay, which is like hitting the pause button, it is unlikely that a judge will allow the reopening of a stayed case because a witness has changed their mind about testifying.



Testifying

If you choose to testify, the Crown Attorney's office will do everything it can to protect you from emotional and physical harm during the process. Some of the things they can ask for are:

Video-Conference Testimony

You are in another room and while you are seen on video, you do not have to see the accused or be in the same space as the accused. You may be able to testify from a completely different location via technology such as Zoom.

Support Presence

You may have a person with you while you testify. The person may not speak or guide you but can sit beside you and offer physical support during the process. This person cannot be involved in the case itself. Some jurisdictions have support animals, such as dogs, available as an option. This is currently not an option in Ontario, but if a person has their own registered support animal, communication with the Crown's office about policy to permit the animal can be arranged.

One-Way Screen

You are in the courtroom, but during the testimony there is a standing screen between you and the accused. You can see the accused, but they cannot see you.

Cultural Practices

Smudging is available in some Ontario courtrooms, including the courtroom on Cedar Street. Smudging is not available in the courthouse on Elm Street due to ventilation issues in the older building. Smudging can happen outdoors at the Elm Street courthouse prior to the testimony.

Breaks

You can ask for a break if you find testifying to be draining, emotional, or difficult. There is water to drink and a box of tissues present.

You may be called upon to testify by the Crown representative, or the defense attorney. This means that you may have to testify more than once. You are not permitted in the courtroom before your testimony or after your testimony, though the Crown could file a motion to permit you to stay once your testimony is complete. This, however, is rarely granted in case of a mistrial or future appeal, as any heard testimony may bias a witness.

With that in mind, Victim Services or Angels of Hope (AOH) will often have a representative present so that you can be kept apprised of what happens during the court session, if not the particulars about testimony.

Before you testify, the Crown Attorney will meet with you to review your original report and interview(s) with you, in order to help you refresh your memory, especially as a long period of time may have passed.

The Court System

The court system is complex and can be very confusing to those who have never, or barely, moved within it. There are different types of court, different types of trials, different types of protocols, and different behavioural rules depending on which court your case is tried.

For easy reference, at the end of this document is an explanation of any terms in bold. After an **arrest** and a **bail hearing**, the **accused** and their **counsel** are provided with **disclosure** – the case against them. Then, there are different types of conferences. These conferences usually involve the lawyers and the **judge** – though not the judge that will eventually preside over the case.

First, there is a **counsel pretrial conference**. This happens between the **Crown Attorney's** office and the counsel hired by the accused. The accused is not present. If the accused has decided to **selfrepresent**, this conference does not happen. This conference allows the lawyers to discuss whether there is any chance for a **resolution** before a trial. This is usually called a "**plea deal**," where the accused will agree to **plead guilty** to a lesser charge to avoid a **trial**. Other potential issues may be discussed then, such as the need for a venue change, health concerns, Indigenous rights, and more.

The **judicial pretrial conference** comes next or is first if the accused is representing themselves. This happens before a Justice of the Peace or judge, both of whom will not be overseeing the eventual trial, since what the judge learns during this conference may cause **prejudice** them against the accused or the Crown. The accused is not present if they have counsel, but

if they are present due to selfrepresentation, the entire process is covered in **open court** and is recorded by a **transcriptionist**. Matters of concern identified during a counsel pretrial are presented to the judge for rulings and direction.

At this point, the Crown Attorney and defense counsel will **elect** how to proceed. There are two choices: **summarily**, or **by indictment** (pronounced inditement).

Summary, or summarily, means that the case will be tried in the **Ontario Court of Justice (OCJ)**. OCJ cases are heard by a judge only and have a shorter wait time. Though this court operates under the same rules as the other courts, in Ontario the procedure is much more relaxed in the OCJ.

By Indictment charges can be heard in the OCJ by a judge, in the **Superior Court of Justice (SCJ)** by a judge, or in the SCJ by a judge and jury. More serious cases tend to move through the SCJ, and as such the wait time for a case to move through the SCJ is slower than the OCJ. SCJ tradition is very formal and is less relaxed than in the OCJ.



If the accused is not in custody, meaning they are on bail, they sit behind their representative at a table during court, though legal counsel can ask the court to allow the accused to sit beside them. If the accused is in custody, either due to bail being denied or revoked, or due to sentencing in other cases, they will sit in the prisoner's box and be secured by court sheriffs. In both the OCJ and SCJ, both the Crown and the Defense are supposed to ask questions from their table. Unlike in movies or on television, lawyers for either side should not be approaching a witness while the witness testifies. However, in the OCJ's more relaxed environment, this sometimes happens.

If the Crown Attorney does not object to the defense counsel's presence, you may turn to the judge and ask the judge to ask the defense counsel to return to their table. *You are allowed to testify without feeling threatened by the physical presence of another person.* You should not ask the counsel yourself. In court, everything goes through the judge.

Trial by Judge

If the choice to proceed involves a trial by judge only, the case is presented to a judge in a courtroom over a prebooked set of days. The prosecution will present their case first, followed by the defense. This process is often pursued if there are strong physical and legal facts that can be interpreted in a predictable fashion by a person with legal training. It is available in both the OCJ and the SCJ.

Trial by Judge & Jury

If the choice to proceed involves a trial by jury, the first step will be jury selection. Letters are sent out and individuals must report to the courthouse. During this time, questions are asked that help qualify or disqualify people. In the end, the goal is to have enough jurors to fill the requirement by law.

Once the trial begins, the case may only proceed when the jury is present. At times, the jury will be dismissed by the judge to allow for counsel to make arguments that may create prejudice, if heard. This is usually about whether or not evidence can be submitted or if the behaviours of witnesses, accused, or attendees can be construed as influential. This sometimes happens if there is a concern a juror is not following rules, or has otherwise become conflicted.

When the judge makes a ruling in the matter, the jury returns, a brief description of the conversations and resulting rulings is given, and the trial proceeds.



R v. Jordan

While Court process can last a long time, thanks to a new Supreme court decision called R V Jordan, this landmark case changed how Section 11(b) (the right to be tried within a reasonable time) is applied, placing a stronger emphasis on speedier justice.

The 2016 Supreme Court of Canada decision in *R v. Jordan* was a significant ruling regarding the right to a timely trial under Section 11(b) of the Canadian Charter of Rights and Freedoms. Here are the key points:

New Time Limits

The Court set specific time limits for how long can reasonably pass between a criminal charge being laid and the trial's conclusion—18 months for provincial courts and 30 months for superior courts.

Presumption of Unreasonable Delay

If the trial exceeds these time limits (after subtracting delays caused by the defense), it is presumed to be unreasonable. This places the burden on the prosecution to demonstrate otherwise.

Exceptional Circumstances

The Crown can challenge this presumption by proving that there were “exceptional circumstances,” which could include unforeseen events or cases of significant complexity.

Staying Charges

If a case is found to have an unreasonable delay and cannot be justified by exceptional circumstances, the charges may be stayed, effectively ending the prosecution.

Cultural Shift

This ruling aimed to combat complacency regarding delays in the criminal justice system, promoting a more efficient process in addressing cases.

Overall, *R v. Jordan* emphasized the importance of timely justice, aiming to ensure that those facing criminal charges do not suffer undue delays.

Please be sure to ask questions regarding this new ruling and see if it applies to your case.





1,938 incidents

of human trafficking were reported to police services in Ontario between 2010 and 2020



**END HUMAN
TRAFFICKING!**

Verdict, Sentencing, & Safety

When a judgeonly trial is complete, the judge will reserve time for a review of the case and the development of the decision. Usually, this comes some weeks later as a written judgement that explains why the judge decided on the verdict reached.

If the case is tried before a jury, upon the completion of the trial, the jury is sequestered and remains so until a verdict is reached. If no verdict can be reached, despite the request of the judge to keep trying, a mistrial may be declared.

During this sequestering, the jurors may return to their lodging at night, whether this is at home or a hotel, depending on the situation. It is rare for a jury to be entirely sequestered from the outside world.

Throughout deliberations, the jury may ask for trial transcripts to be provided for review or may send questions back to the judge for clarification. For example, if jurors have a different understanding of a law, they may ask a judge to instruct them on the law so that the jurors may review the information through those instructions and clarifications.

Before entering deliberations, the judge provides the jurors with instructions which reiterates the law, the rules, and how a jury functions. These instructions must provide the jurors with the options that they can choose as potential outcomes, but cannot indicate in any way how the judge would

elect, or what the judge believes, should be chosen.

If a person is found not guilty, they are released from custody. This is provided that they do not have any other charges or judgements pending that are keeping them in custody. If that is the case, they are returned to where they are housed.

If a person is found guilty, a date is set for the judge to conduct a sentencing hearing. During this time, the accused may be released on bail on their own recognizance or be placed in custody. If they were previously in custody for other reasons, they'll be returned to jail.

Most human trafficking cases are so serious that release on own recognizance or bail is unlikely, especially after a guilty verdict.

During the interim between the end of the trial and the sentencing hearing, people affected by the crime are invited to prepare victim impact statements. These are submitted to the court. During the sentencing hearing, these statements are provided to the judge but may also be read aloud by the Crown Attorney's office, or by the victim themselves. This allows the victim's voice to be heard by the judge and the guilty party, which ultimately may play a role in the final sentence handed down.

When a sentence is rendered, the guilty party is taken into custody to begin their sentence.

Bail, Conditions, and Protection Orders



The term bail is used to describe the release of a person who has been arrested, has been charged for a crime, and is awaiting trial. Bail usually comes with conditions. These conditions can include a financial bond (money lost if bail is violated) and/or abstaining orders (to not consume alcohol and/or drugs, possess weapons, and space restrictions such as to not be close to certain areas or locations and/or specific people). Sometimes, this can include an electronic monitoring anklet.

Bail is given when it is believed that the threat an accused individual presents to the public or their accusers can be kept in line by the financial penalty and/or threat of imprisonment if conditions are violated.

In some cases, charges are not pressed and arrests are not made, and an accuser can feel unsafe. In these cases, a protection order, also known as a restraining order, can be requested to keep the individual away from the accused and locations that the accused resides, works, and/or is known to frequent.

Kelly Beale is a lawyer with the Office of the Children's Lawyer, which is located in Toronto. Ms. Beale provides free legal assistance to victims of human trafficking in Ontario in securing restraining orders at no cost.

In order to qualify for these services, the victim must be a child (under 18), an adult victim of human trafficking, or a person acting on behalf of

a victim. Ms. Beale will meet with victims and their representatives anywhere in Ontario and will attend court to obtain a restraining order. Ms. Beale aims for a three-year restraining order.

It takes about 48 business hours to complete the order, which is served to the individual once complete. The accused is not advised about the restraining order until it is granted and served.

To speak with Ms. Beale, email kelly.beale@ontario.ca or phone 4167798189. She can also be reached through the human trafficking helpline at 18339001010. If using this number, specifically request for assistance in obtaining a restraining order.



Francophone Supports

A person who speaks entirely or dominantly French is considered a Francophone. If you or someone you are trying to support are Francophone, you have the right to proceed communicating in the French language. This means that from the moment you begin to work with police and all the way through to the court systems, to supporting yourself (whether connected to and not connected to a criminal case), you are allowed to speak French and/or have a translator translating from English to French for you.

The law in Canada and in Ontario guarantees you the right to services in French. That means government websites are required to have English and French language services available and have staff available to assist in both English and French. French Language supports in Sudbury include:



Angels of Hope Legal Booklet

Action Ontarienne Contre la Violence Faite aux Femmes

- Umbrella organization.
- Preventing and combating violence against Francophone women including Human Trafficking.
- Research and training for service providers.
- Systemic advocacy for quality French language services.
- Have provided a set of guidelines for quality French language services in Ontario.

Fem' aide

Le service est confidentiel et offert 24 heures par jour et sept jours par semaine.

Composez le 18773662433

ATS 18668607082

Ou visitez <https://femaide.ca>

Services: Offrir aux femmes ontariennes d'expression française aux prises avec la violence sexuelle du soutien, des renseignements et de l'aiguillage vers les services appropriés dans leur collectivité. Fem' aide peut également répondre aux demandes de renseignements faites par les proches de femmes victimes de violence.

Legal Aid

Adresse: 155 Elm Street, Sudbury, ON, P3C 1T9

Composez le (705) 6742220

Ou visitez <https://www.legalaid.on.ca>

To obtain a lawyer, receive legal advice, etc.

Legal Clinic Sudbury

Adresse: 40 Elm St., Sudbury, ON, P3C1S8

Composez le (705) 6743200

Ou visitez <https://www.sudburylegalclinic.com>

Centre Victoria Pour Femmes

Adresse: 584 Clinton Ave Suite 103, Greater Sudbury, ON, P3E 4P2

Composez le (705) 670-2517

Ou visitez <https://www.centrevictoria.ca>

Services: Le Centre Victoria pour femmes offre des services de counseling individuel et de groupe ainsi que de l'accompagnement, des références à d'autres services de la représentation. La prévention, la sensibilisation et l'éducation sont aussi au cœur de l'intervention et sont intégrés à l'ensemble des moyens utilisés pour prévenir et abolir la violence contre les femmes. Nos services sont offerts principalement aux femmes francophones de 16 ans et plus dans les régions du Grand Sudbury et d'Algoma. Nos intervenantes sont prêtes à vous écouter, vous croire et vous soutenir dans votre cheminement.

YWCA Geneva House Shelter (Women's Shelter/Refuge pour les Femmes)

Adresse: 370 St Raphael Street, Sudbury, ON, P3B 4K7

Composez le (705) 674-2210

Ou visitez <https://ywcasudbury.ca/programs/genevahouseshelter>



Myths & Preconceptions

If I don't testify, I can be arrested.

While technically a **subpoena** can be issued ordering you to testify, the Crown Attorney's office will rarely use this method to compel a person against their will. They understand that your testimony makes you revisit painful memories and relive traumatic events, and they are not looking to add to it.

I am a victim. Anything I did during this time is offlimits for charges.

Unfortunately, this is not true. You are still responsible for your actions. However, the courts take into consideration **mitigating circumstances**, such as trafficking, substance use disorders, and so forth. This means that you may be judged less severely than if you had not been trafficked. Keep in mind though, that charges must be provable and must serve the public's instance, so the police and the Crown have a certain amount of leeway. Will you be charged with shoplifting? Maybe not. Would you be charged if you helped trafficked others? Very likely.

If I testify, charges against me will be dropped.

Whether you testify or not has no impact on whether your charges will be reduced or charged. Your lawyer, along with the Crown Attorney's office, will try to create an agreement that works for both the public's interests and your needs. If charges were serious enough to be brought before the Crown for judgement, chances are that they will not be dropped.



Trauma & Continued Healing

We want to take a moment and discuss trauma and the human response to traumatic incidents. What you have experienced is traumatic, even if it might not feel like it. We all process the bad things that happen to us differently, and there's no right or wrong way to respond.

Some people feel guilty that they do not cry or experience nightmares, or even feel particularly traumatized. They may feel numb. You might feel numb. That's normal!

It's normal, too, to be plagued by nightmares or break into tears when talking about your experience. It's normal to want to talk about what happened to you, and it's normal to not want to talk about what happened to you. It's also normal not to feel anything at all and feel completely frozen. Trauma response is very personal; there is no shame or guilt in feeling one way or another.

Something important to note is that it is normal to feel affection for, and trust in, your abusers. They have spent years manipulating you and placing you in situations where they are the only safe and sure person or people in your life. Stockholm Syndrome is a very real psychological disorder, and you might be experiencing it. It's normal to miss your abuser. It's normal to hate your abuser. It's normal to still love them or feel bad for bringing them to court.

No one should be able to tell you that you're reacting wrong - that the way you are reacting is abnormal.

How you react, how you process what has happened and is happening to you, is unique to you. Your feelings, experiences and truth are valid. Lawyers for the abusers and traffickers may try to tell the judge, the jury, and you yourself that you're not reacting a certain way. Why would you continue to contact your abuser if you were being abused?

Because that's what abusers and traffickers do. They make you feel reliant on them, they make you forgive their sins, and they make you feel as if you've done something to deserve what is happening to you. None of that is true. But you sure as heck may feel that way.

Continued healing will take time and there are resources out there. Whether it's national or local, there is counselling, there is group and individual therapy, and there are substance use programs designed to help wean you from substances that you've become reliant on to survive in your situation. There are programs to reunite you with family and friends, and programs to help counsel your family so they can understand the secondhand trauma that they're experiencing from knowing what you've gone through.



Terminology & Abbreviations



Accused

A person who has been arrested and charged with a crime, but has yet to plead guilty/no contest, or to be found guilty/not guilty during a trial.

Arrest

The act of a person being apprehended and contained by police. During an arrest, a person may be handcuffed. An arrested person may have a photo taken and their fingerprints recorded, may be required to provide a blood- alcohol or substance(s) test, and may be held in custody.

Bail

The term used to denote someone being released from custody while waiting for the case to be decided before a judge, or judge and jury. During this time, the individual may be required to provide a financial deposit, may be required to wear an electronic monitoring device, and may be under conditions to not interact with persons, attend locations, or use substances. Violation of these conditions result in bail being revoked and the individual is placed into custody again.

Counsel/Lawyer

Individuals able to represent others before a judge, or judge and jury, who are lawyers (also known as counsel). This term usually refers to the individual acting in defense of the accused.

Crown Attorney/Assistant Crown Attorney

A lawyer employed by the provincial or federal government to prosecute criminal cases.

Deliberations

The time where members of the jury are together to review the presented evidence, request clarifications, and discuss together to come to a decision about the accused and the charges that they face.

Detective-Constable

A detective with the police service.

Disclosure

The evidence gathered by police and the Crown Attorney's office which is provided to the defense counsel.

Counsel Pre-Trial

A meeting between the Crown Attorney's office representatives and the counsel for the defense to see if an agreement can be reached that will avoid trial while satisfying the needs of both the government and the accused.

Duty Counsel

A lawyer employed by Legal Aid Ontario who attends court hearings to represent individuals and to assist individuals prior to obtaining their own lawyer. This person is not able to act as your lawyer, but instead acts as a guide to help you navigate until you hire your own lawyer.

Guilty/Not Guilty/No Contest

A guilty plea means a person has admitted to the crime as presented. A guilty verdict means a judge, or judge and jury, has decided a person is guilty of a crime as presented. A plea of Not Guilty means a person states they are not guilty of a crime as presented. A finding of Not Guilty means a judge, or judge and jury, finds a person is not guilty of a crime as presented. A plea of no contest means a person accepts the facts of the case as presented but does not concede to guilt. Procedurally, a plea of no contest is treated as a guilty plea.

Hearing

A pretrial meeting to discuss and decide matters that may affect the technical comportment of a meeting, such as venues, whether evidence should or should not be allowed, and other accommodations.

In Custody

A person who is in custody is in jail, a penitentiary, prison, or other restricted location.

Indictment

A type of offense which usually receives a much stricter penalty. Indictable offenses may be decided by a judge alone or by a judge and a jury.

Jail

The location where individuals are kept before sentenced to serve a term for a crime.

Judgement

The decision rendered by a judge or the jury.

Jury

A selection of individuals who will hear evidence and discuss together to decide upon a judgement.

Jury Selection

Both the Crown Attorney's Office and the accused's counsel attend jury selection and can help decide which jurors are selected.

Mistrial/Hung Jury

A mistrial is when a trial is cancelled due to error or due to a jury deadlock. An error may be a juror not disclosing prejudicial information or being prejudiced during the trial, inappropriately gained or presented evidence, or technical/procedural issues. A jury deadlock, also known as a hung jury, is when a jury cannot unanimously agree on how to come to a decision.

Mitigating Circumstances

Circumstances that affect the accused, either positively or negatively. These circumstances help explain the behaviour of the accused before, during, and after an alleged incident. For example, a person accused of a break and enter theft and who kills a family dog during the crime would have the violence of the act be a negative mitigating circumstance. A person who pleads guilty early in the court process saves the courts time, and that is a positive mitigating circumstance.

Ontario Court of Justice (OCJ)

Cases heard by a judge under Ontario law. This court is less formal in practice than the Superior Court of Justice, and has a faster rate of case completion. It does not allow for trial by judge and jury.

Open Court

Court where any person may attend to observe, or save those who are witnesses.

Penitentiary

People who are sentenced to less than two years in custody are sent to penitentiaries, which are operated by provinces.

Prejudice/Prejudicial

Being biased, or causing bias.

Prison

People who are sentenced to two years or more serve their sentences in prison, which are managed by the federal government.

Privacy Shield

A oneway standing shield that prevents people on one side from seeing through to the other side.

Render/Rendering/Rendered

Making a decision.

Resolution

The completion of a case.

Self-Represent

Every person has the right to legal representation in court, but they may also choose to not hire a lawyer and represent themselves. This is the term used for when that happens.

Sentence

The penalty assigned to a person who pleads no contest, guilty, or is found guilty by judge or judge and jury.

Sequester

A period of isolation without outside connection.

Summary Judgement/Summarily

A court case in which the decision is made by a judge alone, and may happen in both the OCJ and SCJ.

Subpoena

A summons from the court to attend and testify.

Superior Court of Justice (SCJ)

A federal court that allows both trial by judge alone and trial by judge and jury. This court process adheres to customs more strictly than provincial court.

Testify/Testimony

A recitation of personal recollection of circumstances and facts relevant to the charges.

Transcriptionist

A court employee who records what is said and what happens at trial.

Trial

The presentation of the facts of the charge by the Crown Attorney's office and the defense against such by the accused, concluding with a judgement.

Trial by Judge Alone

A trial where the judgement is rendered by the judge.

Trial by Judge & Jury

A trial where a judge moderates and instructs the jurors, who then enter a period of sequestration and attempt to decide unanimously on a judgement.

Victim Impact Statement

A statement prepared by individuals affected by the crime. This statement is provided to the Crown Attorney's office, where it can be delivered to the judge, can be read aloud by the Court Attorney's office, or can be read by the victim themselves.

Written Decision

When a decision is rendered by a judge alone, a judge usually takes several weeks to render a judgement, which includes a written decision explaining the decision.

Phone Numbers & Websites

Greater Sudbury Police Service

Phone: 705-675-9171

Website: www.gspcs.ca

Online Reporting: <https://www.gspcs.ca/en/reporting/onlinereportingcoplogic.aspx>

Ontario Provincial Police

Phone: 1-888-310-1122

Website: www.opp.ca

Online Reporting: <https://www.opp.ca/index.php?id=132>

UCCM Anishnaabe Police

Phone: 705-377-7135 or OPP Contact

Website: www.uccmpolice.com

Online Reporting: Use *OPP Online Reporting tool*

Wikwemikong Tribal Police

Phone: 705-859-3141

Website: www.wtps.ca

Online Reporting: Not Available

Angels of Hope Against Human Trafficking

Phone: (705)-822-8630

Website: www.aohagainstrafficking.ca

Email: help@aohagainstrafficking.ca

Sudbury and Area Victim Services

Phone: 705-522-6970

Website: <https://www.savs.ca>

Email: info@savs.ca

**By empowering and learning from
survivors, we follow their lead to**

#endhumantrafficking



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