



INSTITUTE OF LAW RESEARCH AND REFORM
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Report No. 1
COMPENSATION FOR VICTIMS OF CRIME
1968

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COMPENSATION FOR VICTIMS OF CRIME

As one of its initial projects, the Institute undertook to consider whether provision should be made in Alberta for compensation to persons who suffer injury as the result of the criminal acts of others; to consider the nature, extent and administration of a scheme for Alberta; to attempt to forecast the cost of such a scheme; to make recommendations to the government of Alberta on the foregoing.

Summary of Principal Recommendations

1. That the Legislature of Alberta establish by Statute a scheme to compensate persons for the loss they have incurred from personal injuries as the result of the commission by another person of a crime of violence.
2. That the scheme be for the benefit of the victim of a crime of violence and where he has died for the benefit of his dependants.
3. That no mean test be imposed and that the basis of compensation be (a) reimbursement for medical, hospital and other out-of-pocket expenses; (b) compensation for loss of income where the victim has survived; and (c) compensation to his dependants for their monetary loss where he has died.
4. That the scheme be administered by a Board of three who shall hold hearings and award compensation in accordance with the scheme.

5. That compensation be provided for persons who have incurred personal injuries as the result of making or assisting in the making of an arrest and in preserving the peace; and that the basis of compensation be the same as it is for other victims of crime with the qualification that additional compensation be awarded for loss of amenities (disfigurement, loss of a limb and the like) and pain and suffering with a maximum for these latter items of \$10,000.
6. That the scheme apply to injuries incurred after the Act comes into force, with a special provision for compensating the small number of persons who in the last several years have been seriously injured as the result of crimes of violence and who remain in need.

I

JUSTIFICATION OF THE SCHEME

The first question is whether there should be a plan at all. In the Institute's opinion, the answer is yes, and that it should apply to personal injuries but not to property damage. The United Kingdom, New Zealand, New South Wales and Saskatchewan all have recently adopted schemes and in the United States, the states of California, New York and Massachusetts have done likewise. Ontario has a plan confined to injuries incurred in assisting peace officers to make arrests or preserve the peace. A large volume of literature in recent years is almost unanimously in favour, and

speeches or resolutions in support of such schemes have been made in the House of Commons and in the legislatures of Manitoba and Alberta.

Why should victims of crime be singled out for assistance from the public purse? We base our recommendation on the plight of the victim and the fact that his injuries have arisen from the wrongful acts of an element in society. There is a connection between the social breakdown manifested in crime and injury to innocent citizens.

A secondary reason for our recommendation is that we are in an era when society recognizes many new obligations; for example, the care of victims of cancer and tuberculosis. A closer parallel is that of compensation for persons injured through the negligence of car drivers as provided in the unsatisfied Judgment Fund.

Our recommendation does not rest on the argument that the machinery of law enforcement has broken down, or on the proposition that the state is under a duty to compensate. This proposition may apply to the claim of a person injured in assisting the police to carry out an arrest but our recommendation while including this case is not restricted to it.

One might argue that the victim may bring a civil action for damages against the offender, or that he may insure himself. The former remedy is nearly always useless even if the offender is known, and the latter is simply not feasible for most people, particularly in connection with personal injuries.

There is, of course, a relation between compensation of victims on the one hand and the criminal trial of the person who caused the injury on the other. We think that a compensation scheme will not lead to an increase in crime or prejudice the fairness of the criminal trial one way or the other.

II

CRIMES OF VIOLENCE

Next comes the question, what crimes are to be covered? Awards must be confined to personal injuries resulting from specified crimes of violence under the Criminal Code - murder, rape, assault and the like. The scheme should set out the offences specifically, and the Lieutenant-Governor in Council should have power to add to the list. We think arson should be included though it is not a crime against the person. The specific crimes are listed in Part I of the schedule of crimes attached as Appendix A to this report.

We recommend that compensation be available even though there has not been a conviction. The offender may not have been apprehended. Then again, there is the case where the "offender" was never charged or was acquitted because of age, insanity, drunkenness or because he was otherwise incapable of forming criminal intent. This should not preclude compensation. Moreover, the burden of proof should be that applicable to civil trials, not criminal.

We recommend, however, the following exclusions:

(1) Property damage except items on the person of the victim, such as glasses, spectacles, watches, clothes and dentures;

(2) Offences arising out of the operation of a motor vehicle. We realize that a motor vehicle may be "used as a weapon". We realize, too, that Saskatchewan has included in its Schedule of Offences criminal negligence in operation of a motor vehicle, dangerous driving, drunken driving and impaired driving. In Alberta, a person who is injured as a result of one of these offences may obtain judgment against the offender in an ordinary negligence action, and then has recourse to the Unsatisfied Judgment Fund to a maximum of \$35,000. In the event of his death, his dependants as defined in the Fatal Accidents Act have the same recourse. The scheme now proposed should not overlap the Unsatisfied Judgment Fund. There is, however, one respect in which the Fund leaves a gap. Later in this report we include as dependants certain persons who are not dependants under the Fatal Accidents Act. Thus they could never claim against the Unsatisfied Judgment Fund. We recommend that they be permitted to claim as dependants of the victim under the present scheme where the driver of a motor vehicle is guilty of criminal negligence, dangerous driving, drunken driving or impaired driving. These offences are set out in Part II of the Schedule.

(3) We recommend that small claims be excluded. Although any minimum amount is bound to be arbitrary, we recommend \$100 as a minimum figure.

III

CAUSAL CONNECTION BETWEEN CRIME AND INJURY

The next question has to do with those injuries for which compensation will be made. There must be some connection between the crime and the injury and frequently it is difficult to determine when a crime has "caused" injury. Some schemes define "victim", but we think it better to omit such definition and to provide that there shall be compensation for injuries that are "a direct result" of a crime.

No matter what language is used, the tribunal will be faced with borderline problems and we do not think the limits of compensation can be spelled out any more precisely than by the use of the suggested phrase.

IV

PERSONS WHO MAY CLAIM

A related question is that of the persons who may claim. Obviously the victim himself may do so. Then there are cases when the victim dies and his dependants suffer loss. We think that they should be included in the scheme. Dependants should include all relative who can show that they were dependent upon the victim at the time of his death and it should not matter that the dependant is illegitimate or that the victim was illegitimate. Dependants should also include any person whether a relative or not to whom the victim stood in loco parentis. A spouse should also be included in dependants. As to the "common law wife", she should be

treated as a wife whether it is she or the "husband" who is killed, provided the relationship was permanent and there existed legal impediment to their marriage. In all cases the dependant is to be compensated only to the extent of his actual financial loss.

V

CONDUCT OF THE VICTIM

The next matter has to do with the behaviour of the victim. For example, many injuries occur in the course of family squabbles and in drunken brawls. The question arises as to whether the "victim", having to some degree participated in or provoked the crime, should be precluded from compensation. We think not. The scheme should adopt a principle analogous to that of contributory negligence to enable the tribunal to reduce the damages in proportion to the victim's blame. We recommend the New Zealand provision which says that the tribunal shall have regard to behaviour of the victim which directly or indirectly contributed to his injury or death.

We have been dealing with the victim's behaviour prior to and in connection with the crime. A related matter is that of the victim's behaviour, or rather, as to what he should do, after the crime. The scheme should require complaint to the proper law enforcement authority within a reasonable time and also that the application for compensation must be made within a year of injury or death as the case may be, with power in the tribunal to extend the time.

We have considered whether the Statute should require the victim to cooperate fully in the prosecution of the offence. We think not. There should be no encouragement of the victim to colour his evidence against the accused.

It may be suggested too that if the victim has received compensation, then he may subsequently refuse to testify at the criminal hearing. We do not think that this is a problem, and besides, the scheme should give to the tribunal power to adjourn the hearing until the criminal charge has been disposed of.

The victim should cooperate fully at the hearing before the tribunal. To this end, he should be compelled to testify under oath and to submit to a medical examination before a physician appointed by the tribunal and to cooperate generally.

VI

ASSESSMENT OF DAMAGES

Having dealt with the types of crimes, types of injury and types of claimant within the scheme, the next matter is that of measuring or assessing the damages; in other words, of deciding what items of damage will be accepted and whether a maximum should be imposed.

As a preliminary point we reject a means test. The application of such a test would tend to make this a welfare scheme.

Basically the compensation is for physical injuries and in that term we include illness resulting from mental

shock whether or not the victim received physical injuries at the time.

We recommend the first four heads of damage of the New Zealand scheme, namely: out-of-pocket expenses, loss of salary, pecuniary loss to dependants where the victim dies, and other pecuniary loss reasonable incurred. We would add reasonable funeral expenses where the victim dies, with a maximum of \$500. As to New Zealand's fifth and last head, viz, pain and suffering, we recommend against it below in connection with non-pecuniary loss.

The next question is whether maximum limits should be imposed. We do not favour an over-all maximum such as the \$35,000 under the Unsatisfied Judgment Fund. Nor do we favour a limit on out-of-pocket expenses, such as New Zealand's maximum of £ 1,000. As to loss of income, there should be a monthly maximum. Where the victim lives, the upper limit should be \$500 a month, plus an upper limit of \$50 per month for each dependant, the whole to be payable to the victim. Where the victim dies, the upper limit for all dependants should be two-thirds of \$500 plus \$50 a month for each dependant.

Awards for loss of income incurred prior to the award should be made in a lump sum and awards for loss of future income should be expressed in terms of monthly compensation. The tribunal should have power to designate the period for which such compensation is to be paid, either in terms of months or some other period (e.g., completion of schooling) over which the payments for loss of income are to be made. The same provisions should apply where the victim has died and the claimants are dependants.

There is the special problem of a child born as the result of rape of the child's mother. Compensation payable to the mother should include maintenance for the child. The amount of the maintenance should be determined on the same basis as that payable by a putative father under the Child Welfare Act. Under that Act an order may provide for the mother's medical expenses and for the child's maintenance and education.

We turn now to non-pecuniary losses, namely loss of amenities (e.g., loss of a limb, disfigurement, damage to the nervous system), pain and suffering and loss of expectation of life. We recommend their exclusion.

The next matter is that of deductions that can properly be made from the award. In principle, double recovery should be forbidden. Thus the tribunal should deduct amounts which victim or dependants have received from the offender; and it should also take into consideration amounts received through Workmen's Compensation or unemployment insurance to the extent that such payments are attributable to the injury.

On the other hand, the victim or his dependants may receive payments from government sources that the tribunal should not bring into account. Examples are old age pensions, war pensions, and Canada Pension. These benefits have not accrued from the injury and should not be deducted. These recommendations are all in line with Saskatchewan's provisions.

There are certain other benefits which may accrue from the injury and which should be specially considered. Many people participate in plans such as Blue Cross and Medical Services which pay hospital and doctors' bills in

consideration of a fixed monthly premium. It may be that the Federal Medicare Scheme will replace these. In any event, the victim should recover his hospital or medical bills. One could argue that he should recover instead the periodic payments he has made to Blue Cross or Medical Services. The objection is that the amount would be hard to calculate. It is simpler and, on average, just as fair to reimburse him for the amount which Blue Cross or Medical Services has paid to hospital or doctor.

There is another category of benefit which is more difficult, namely, casualty insurance and life insurance and private pension schemes whereunder the benefit becomes payable on injury. We recommend that the tribunal be required to take into consideration the benefits received and, on the other hand, to take into consideration the cost to the victim of procuring these benefits. We realize that these figures cannot be determined precisely and it is for this reason that we use the phrase "take into consideration" rather than "deduct".

It may be that there are some benefits which we cannot foresee. For this reason, we recommend a provision whereby the tribunal may determine whether a given benefit (other than those already dealt with) shall or shall not be taken into consideration

VII

BOARD TO ADMINISTER SCHEME: ITS PROCEDURES AND POWERS

The next matter is that of administration of the scheme. We think a special tribunal should be established

rather than to place the function in the hands of the courts or the Workmen's Compensation Board - the reasons are that such a tribunal will be convenient, expeditious and specialized. We recommend a board along the lines of Saskatchewan's with three members. One should be a lawyer of experience and standing. Any member who is not in the Civil Service should be compensated on a per diem basis, because the appointment will not be full time.

In connection with appeals, Saskatchewan precludes any but we think there should be an appeal to the Appellate Division on questions of law and jurisdiction.

In England, the initial decision may be made by a single member, but we think it best to require the whole Board to sit, subject to a provision for a quorum of two.

As to the conduct of the hearing, it should be public save that the Board should have discretionary power to close the hearing where no one has been convicted or where the interests of the victim or of morality require it.

We now set out miscellaneous recommendations in connection with the Board's procedure:

(a) The applicant should be entitled to have counsel;

(b) We have already recommended that the applicant be required to testify under oath;

(c) The Board should not be required to adhere to the rules of evidence applicable to courts of criminal or civil jurisdiction. This is completely justifiable in what is not really an adversary proceeding, and it would exclude the rule in Hollington v. Hewthorn which says that a certificate of conviction is not admissible in a civil proceeding;

(d) The Board should hand down a written decision including its findings of fact and the reasons for its decision. This could be done by making applicable to the Board section 8 of the Administrative Procedure Act.

Specific powers that the Board should have:

(a) To reimburse the applicant for travel, legal and other expenses incidental to the hearing, and to fix the scale for legal fees;

(b) To direct how compensation should be paid, for example, to or for the benefit of the applicant or in trust for him;

(c) To review its awards either on application by the recipient of compensation or on the Board's own motion;

(d) To provide the cost of measures to rehabilitate or retrain the victim;

(e) To make interim awards in respect of maintenance and medical expenses where the claimant is in actual financial need, and where it appears to the Board that

it will probably award compensation. Such interim awards should not be recoverable from the claimant.

VIII

PRESERVATION OF CIVIL ACTION

We turn now to a special problem, namely that of a civil action by the victim against the wrongdoer in tort and also that of recovery by the Crown from the wrongdoer of compensation paid to the victim. We realize that only in rare cases will it be worthwhile to take any civil action against the wrongdoer. Nevertheless, the possibility should be anticipated. At the same time, the wrongdoer should be protected against a multiplicity of actions and against the possibility of having to pay more than ordinary tort principles demand.

Accordingly, we recommend:

(a) The ordinary civil action be available to the victim;

(b) Any settlement between the victim and the wrongdoer must be with the consent of the Board;

(c) At the time of application for compensation under the scheme, the victim must notify the Board of any action he has commenced and if he commences action after making application he must forthwith notify the Board;

(d) Where the victim has not taken action, the Board may request him to do so and, if the victim fails to do so within a specified time, then the Attorney-

General on behalf of the Crown may bring the action in the name of and on behalf of the victim;

(e) Where the Attorney-General brings action the victim must cooperate in its prosecution;

(f) Payments made under a judgment or settlement shall be applied first on costs and then in reimbursing the Crown for compensation paid. Any surplus goes to the victim. In this situation the Board may reduce or discontinue any monthly payments it has been making to the victim.

The foregoing discussion has been in terms of the victim's action. The same principles should apply to actions by or on behalf of dependants.

We call attention to the fact that the foregoing recommendations differ considerably from the New Zealand scheme and also from the Saskatchewan scheme, which in many respects we have followed in this report.

IX

INJURIES SUSTAINED IN PREVENTION OF CRIME

We have mentioned earlier the special problem of injuries sustained during crime prevention. On this subject, Ontario's Law Enforcement Compensation Act, 1967, and the discussion in the Report of the McRuer Royal Commission have been of assistance.

We recommend compensation where a person is injured while assisting a peace officer to effect an arrest or

preserve the peace. Likewise we recommend compensation where a person is injured while exercising his legal right to effect an arrest or preserve the peace. The basis of compensation should include all the heads of damage recommended earlier for all victims of crime. Because of the circumstances in which the injuries are incurred, we have considered whether compensation should be broader. We do not recommend inclusion of property damage, but do recommend that the tribunal be empowered to make a lump sum award for loss of amenities and pain and suffering, with a cumulative maximum of \$10,000. We fix this maximum because loss of amenities as illustrated by the amputee or the paraplegic have in recent years produced awards much larger than our proposed maximum. We have doubts as to the principle on which these high awards are given and as to their value to the victim. Hence the recommended maximum. Where the victim has died, these items will not have any place.

X

ESTIMATE OF COST

The last major topic is cost to the province. The annual cost depends on the number of victims of crimes of violence, the extent of their injuries, their out-of-pocket expenses and loss of income and, in case of death, loss to dependants.

To learn what we could about the facts in Alberta, we had a study made of these matters with the cooperation of the Attorney-General, the R.C.M.P. and the Chiefs of Police of Edmonton, Calgary and Lethbridge.

Crimes of violence are in eight categories: murder, attempted murder, manslaughter, rape, other sexual offences, wounding, assaults, robbery with violence.

The eight categories and the frequency of each (in percentages of the whole) over the past five years are:

Murder	.4
Attempted Murder	.1
Manslaughter	.1
Rape	1.5
Other sexual offences	8.8
Wounding	1.1
Assaults	82.2
Common (66%)	
Occasioning bodily harm (15%)	
Of Police Officers (1%)	
Robbery with violence	<u>5.8</u>
	<u><u>100.0%</u></u>

In general the less frequent crimes cause more physical injury than the more frequent and are the main source of injuries to the person.

In this province, crimes of violence against the person as reported to the police are increasing somewhat more than is the population, going from 4,144 in 1962 to 7,141 in 1966. Yet they are still only 10% of all crimes.

We have tried to find the circumstances in which they occur. Taking homicides (murder and manslaughter) during 1964-1967, almost 50% occurred during domestic disputes, 19% during drinking brawls, and 8% during sexual attacks. The circumstances of attempted murder and indeed of all crimes of violence are similar in that the crimes arise from family disputes and drinking bouts. We have already recommended that the victim of a crime that has occurred in these circumstances is not necessarily to be excluded but that the amount of the award will take into consideration his participation in the events leading up to the crime.

The next matter is that of the extent of the injury suffered by victims in Alberta. To learn the facts we had an examination made of the 1967 police files. Injuries were divided into the following categories, with the percentage attributable to each: fatal - .5; serious - 3.6; fairly serious - 5.0; minor - 51.4; negligible or none - 35.0; unknown - 4.5.

To obtain a picture of serious injuries, a sample was taken of 97 serious injuries in Edmonton in 1967. Of these, 55 were victims of broken bones, of whom 44 were victims of assault occasioning bodily harm. There were five eye injuries including one loss and one impairment and three possible impairments. There were fifteen bullet and stab wounds of which three resulted in impairment. The most severe head wounds and brain damage totalled eleven with three permanent impairments. Taking as serious damage those cases in which the victim was killed or permanently disabled, or kept in hospital for more than a week, and making generous allowance for cases where the extent of injury is unknown, these cases are

less than 3% of all that were reported. This would mean about 200 a year. However, many of them were transients who disappeared; in other cases, the victim was wholly or partly at fault. We conclude that if the scheme had been in effect in 1967, the number of applications would have been substantially below 200.

The next step is to convert the injuries into pecuniary loss. It was impossible to do this from the information in the police files so a questionnaire was sent to victims of serious injuries in Edmonton, Calgary and Lethbridge in 1967. Of a total of 177, we could reach only 147 whose addresses were in the police files. Of the 147 letters, 40 were returned by the Post Office. This means that 107 were received. Of these, only 33 questionnaires were completed and returned. Thirty of these showed serious injuries. They took the form of paralysis, ruptured blood vessels, punctured intestines, fractured noses, legs and cheek bones, and severe beatings. Two-thirds arose from assault occasioning actual bodily harm. The rest were from woundings, assaulting a police officer, attempted murder and robbery with violence.

Twenty-nine required medical treatment, but medical costs were small and there was partial recovery of those costs in eleven cases and complete recovery in eleven. Twenty-two required hospitalization and, of those, seven were completely reimbursed by health plans and eight partially. Loss of wages accounted for greater loss than did medical and hospital expenses. In each of four cases, loss of wages and medical and hospital expenses were over \$1,000. There was some permanent disability, twelve having been absent from work and incurred a loss

in wages. The average loss in wages plus medical and hospital expenses was \$373. Legal proceedings against the wrongdoer were hardly ever taken.

From the police files we made a more detailed examination of fifteen cases that had occurred in the past 10 years. These were selected because the injuries seemed particularly grave. Out of this number, three were especially tragic. A man who attempted to rescue a woman being beaten on the sidewalk was savagely attacked by her assailant and suffered injuries that required the amputation of his leg below the knee. According to the police report, this injury was inflicted by twisting the limb around a steel light post. While the offender was convicted of an assault occasioning bodily harm and sentenced to five years in prison, the victim was financially distressed. Not only was he without hospitalization insurance, but he was forced to discontinue his occupation as a truck driver. His loss of wages alone exceeded \$20,000, although he did receive a \$10,000 insurance claim for the loss of the limb. He described his life since his injury as '7 years of living hell'.

The second victim suffered extensive damage to his stomach, liver and pancreas when he was shot in the stomach with a .22 calibre rifle by two thieves caught robbing his home. After three years of treatment and operations, he is fully employed again, but will require medical treatment for the remainder of his life.

The third case is of recent occurrence. A young man, while living in a boarding home, became involved in the domestic problems of his landlady, and as a result was shot in the stomach by her husband at point blank

range with a 12 gauge shotgun. This near-fatal wound caused severe damage to his intestines, muscles and other tissue in the area, so that he will require monthly medication and treatment for the duration of his life. This young victim desperately needs financial assistance. Hospitalized for two months without medical coverage of any kind, and unable to continue working as a labourer because of the abdominal damage, he now depends solely on social welfare.

Even with the information we have gathered, it is hard to make an estimate of the total amount that would be made in awards under our proposed plan. In England over four years there were 4,000 awards averaging £ 350 each. This in a country of 60,000,000 people. In New Zealand by November, 1967, the Board had, in four years, awarded an annual average of \$2,615. In Saskatchewan, after nearly a year of operation, there were four awards totalling \$2,500.

If we were to use, as a basis, the 30 serious cases described earlier, the out-of-pocket expenses were \$11,000. We could not make an accurate estimate of lost salaries. Bearing in mind the experience in Saskatchewan and the fact that administrative costs will not be high, we think that a safe estimate of the total cost, in the first years at least, would be \$75,000 annually including administrative costs.

XI

WHEN SCHEME BECOMES OPERATIVE

One special point we have considered is as to when the scheme should take effect. On general principle,

it would come into being on passage of the Act or at any later date that the Act might stipulate. We think, however, that the Act should be made retroactive for the handful of serious cases such as the three described above. To keep these cases within bounds, we recommend that compensation be given to persons injured prior to the coming into force of the Act only in those cases where the victim (1) is still incapacitated, and (2) is still in actual pecuniary need, and that the amount and terms of the award be left in the sole discretion of the tribunal. We recommend that such compensation be specified to be ex gratia and that there be no appeal and that certiorari shall not lie.

XII

GEOGRAPHICAL SCOPE OF SCHEME

There are a number of miscellaneous recommendations which we make here:

- (1) Compensation should be available only where the crime has occurred in Alberta.
- (2) Where the victim is a resident of another province or country, compensation should be paid only if a reciprocal arrangement is in force.
- (3) In case of injury during prevention of crime, compensation should be paid irrespective of the place of residence of the person injured and whether or not a reciprocal arrangement is in force.

XIII

ACKNOWLEDGEMENTS

In conclusion the Institute acknowledges with gratitude the assistance rendered by Mr. James Eremko, Q.C., of Nipawin, Saskatchewan. Mr. Eremko, who is Chairman of Saskatchewan's Crimes Compensation Board, has made many helpful suggestions. Mr. Leonard Holtzman of Regina who is Counsel to the Saskatchewan Board too has been of great assistance.

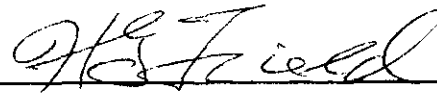
The Institute wishes to record its thanks to Barry Kirkham, Esq., Barrister and Solicitor of Edmonton, for his exhaustive and thoughtful survey of the whole subject including existing schemes and a large volume of literature; also to Miss Eleanor Corlett, a 1968 graduate of the Faculty of Law of the University of Alberta, who conducted the study of crimes of violence that forms the basis of Part X of this report. Miss Corlett carried out this exacting inquiry thoroughly and she compiled the material in a way that has been most helpful.

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A P P E N D I X A

SCHEDULE OF CRIMES

Part I

Section of Criminal Code

78	failure to take reasonable care in relation to explosives where death or bodily harm results.
79	causing explosion with intent to do bodily harm or endanger life.
138	rape.
137	attempted rape.
148	indecent assault.
189	abandoning child and endangering its life.
190	causing bodily harm to servant (sub para. (a)).
192	causing death by criminal negligence.
193	causing bodily harm by criminal negligence.
206	murder.
207	manslaughter.
210	attempted murder.
216	causing bodily harm with intent.
217	administering poison.
218	overcoming resistance to commission of offence.

APPENDIX A

Section of Criminal Code

219	setting traps with intent to cause death or bodily harm.
230	interfering with transportation facilities with intent to endanger safety of any person.
226A	dangerous operation of vessel (ss(1) & (4)).
231	common assault: causing bodily harm.
232	assault with intent to commit indictable offence: assault on persons enforcing.
233	kidnapping: illegal confinement.
237(1)	procuring miscarriage.
238	robbery.
366	intimidation by violence (ss(1) sub para.(a)).
374.	arson.

Part II

221	criminal negligence in operation of motor vehicle: dangerous driving.
222	drunken driving.
223	impaired driving.