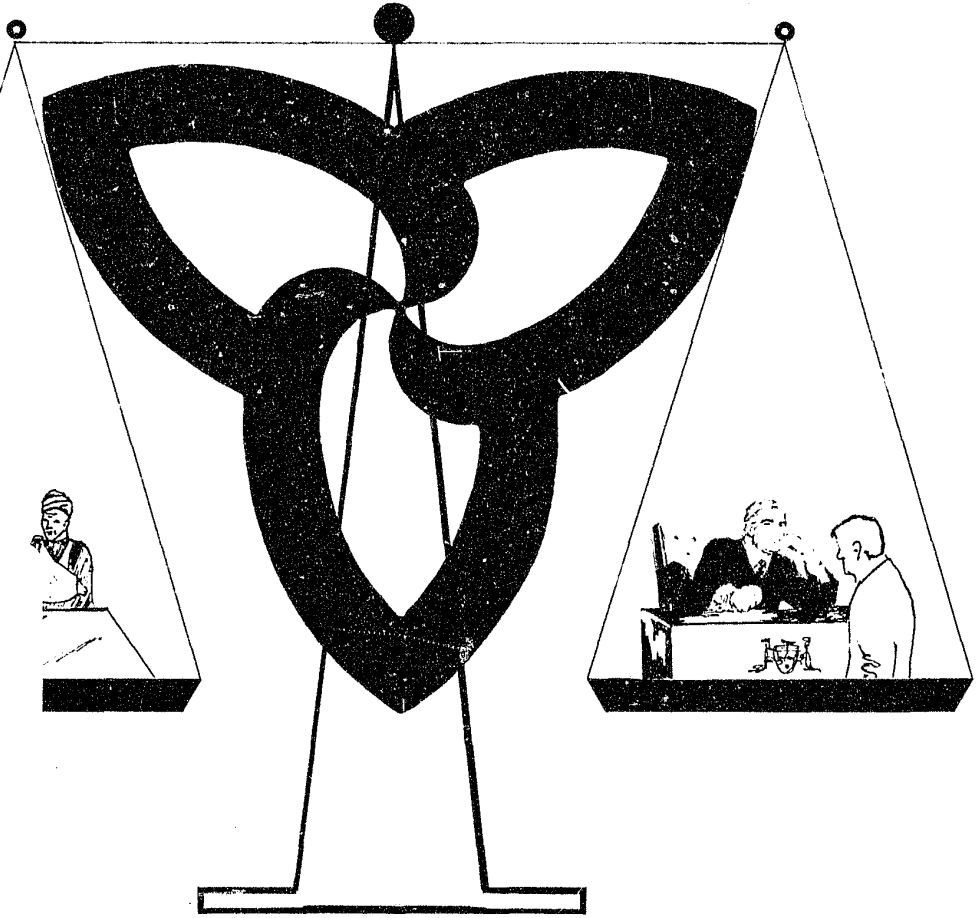




THE NINTH REPORT of the ONTARIO CRIMINAL INJURIES COMPENSATION BOARD

55755



for the fiscal year APRIL 1, 1977 to MARCH 31, 1978

NCJRS

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ACQUISITIONS

THE

NINTH REPORT

of the

ONTARIO

CRIMINAL INJURIES COMPENSATION BOARD

administering

THE COMPENSATION FOR VICTIMS OF CRIME ACT, 1971

for

the fiscal year

April 1, 1977 to March 31, 1978

THE BOARD

ALLAN GROSSMAN

Chairman

SHAUN MacGRATH

Vice-chairman

ANNE AUSTIN,

S.D. CORK,

AUDREY MERRETT,

EDWARD W. TYRRILL, Q.C.,

D.H. LISSAMAN, Q.C.

Members

C.O. HUGGARD (until November 30, 1977)

Registrar

D.D. GRAHAM (from December 1, 1977)

J.H. SHEARD

Chief of Investigation

Copies of this report may be obtained from:

Criminal Injuries Compensation Board

17th Floor, 439 University Avenue,

Toronto, Ontario M5G 1R8

Telephone: 965-4755



Criminal Injuries
Compensation
Board

416/965-4755

439 University Avenue
17th Floor
Toronto, Ontario
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August 31, 1978

The Honourable R. Roy McMurtry, Q.C., M.P.P.,
Attorney General for Ontario,
Parliament Buildings,
Queen's Park,
Toronto, Ontario

Honourable Sir:

I have the honour to submit the ninth report of the Criminal Injuries
Compensation Board which covers the period April 1, 1977 to
March 31, 1978.

Yours respectfully,

A large, stylized handwritten signature in black ink, appearing to read "Allan Grossman".

Allan Grossman,
Chairman.

PROGRAMME DESCRIPTION

The Legislation

The Legislation under which the Board functions is The Compensation for Victims of Crime Act, 1971, which came into force on September 1, 1971, superseding The Law Enforcement Compensation Act, 1967.

The Board is required by the Act to find the commission of a crime (in the principal class of application coming before it). A basic qualification for the consideration of an award is that there must be adequate and reliable evidence in this regard. In addition, the Board is required to consider all relevant circumstance, including inquiry into the report to the police of the offence and the co-operation afforded by the applicant to the law enforcement agencies.

Subrogation

The Board is subrogated to all the rights of any person to whom payment is made under this Act, to recover damages by civil proceedings in respect to injury or death.

Hearings

The members of the Board, of whom five are on a part-time basis, usually sit in panels of two.

During the fiscal year, hearings, in addition to those held in Toronto, took place in Thunder Bay, Sudbury, Sault Ste. Marie, Windsor, and Ottawa. This is done to facilitate applicants, and to generate a better understanding of the work of the Board.

Administration

The administrative staff of the Board is comprised of the Registrar, the Chief of Investigation and two investigators, in addition to a clerical, stenographic and secretarial staff of eight. This small staff has been most dedicated in its efforts to maintain a high standard of service to the Board and to the public.

Productivity

The relocation of the Board offices to new premises caused some disruption in operations which resulted in fewer applications being heard than in the previous fiscal year. Total awards granted increased by 13% from \$1,423,640 to \$1,611,836 and the average award rose from \$1,958 to \$2,328 or by 19%.

Public Awareness and Workload

Large posters, together with a supply of explanatory brochures, are now displayed in hospital emergency wards and staff lounges. The various police forces throughout the province have been provided with wallet-size cards which are designed to draw to the attention of the victims of a crime of violence that they may be eligible for compensation and advising how to make application to the Board. The increase in the number of applications from 971 in the last fiscal year to 1105 in this fiscal year is, no doubt, in part due to these measures. There is an urgent need for additional investigative staff to keep pace with the ever-increasing work-load.

Cost Sharing

Awards made under The Compensation for Victims of Crime Act are cost shared between the Federal Government and the Government of Ontario. The contribution by the Federal Government amounts to 50% of the awards to a maximum of ten cents per capita of the population of Ontario.

COMPARATIVE SUMMARY OF FISCAL YEARS
APPLICATIONS AND DISPOSITION

FISCAL YEAR
APRIL 1, 1977 to MARCH 31, 1978
SUMMARY OF APPLICATIONS AND DISPOSITION
CONSOLIDATED SUMMARY OF AWARDS
and
SUMMARY OF DECISIONS

**COMPARATIVE SUMMARY – FISCAL YEARS
APPLICATIONS AND DISPOSITION**

	April 1, 1974 to March 31, 1975	April 1, 1975 to March 31, 1976	April 1, 1976 to March 31, 1977	April 1, 1977 to March 31, 1978
Applications under investigation on April 1	426	599	914	1188
Eligible applications received	639	851	971	1105
Applications heard (1)	381	473	611	570
Applications heard and dismissed	40	75	63	52
Applications heard – further evidence required	6	1	5	1
Second hearings	8	4	4	0
Review of awards	1	1	6	12
Decisions completed and awards ordered (2)	349	451	609	563
Files closed	85	63	86	223
Interim awards	nil	3	8	1
Supplementary awards	12	19	25	26
Periodic awards	16	12	21	19
Lump sum payments	\$561,114.03	\$708,640.29	\$1,192,840.37	\$1,310,698.60
Periodic payments	165,814.00	194,038.00	230,800.56	301,138.28
Total of awards ordered	726,928.03	902,678.29	1,423,640.93	1,611,836.88
Average award (3)	1,607.77	1,425.84	1,958.69	2,328.06
Applications under investigation, March 31,	599	914	1188	1500

NOTE: (1) Includes Heard but Dismissed and Heard but Further Evidence Required but does not include files closed.

(2) Includes Interim, Supplementary and Periodic Awards.

(3) Periodic Payments not included when arriving at Average Award.

CONSOLIDATED SUMMARY OF AWARDS

April 1, 1977 to March 31, 1978

MONTH	NUMBER OF AWARDS	MEDICAL EXPENSES	LOSS OF EARNINGS	PECUNIARY LOSS TO RELATIVES OF DECEASED VICTIMS	PAIN AND SUFFERING	FUNERAL AND BURIAL EXPENSES	OTHER PECUNIARY LOSS	LEGAL FEES	TOTAL AWARDS
April	35	5,853.38	8,309.68		48,100.00		3,041.02	5,700.00	71,004.08
May	55	4,131.07	21,524.50		75,450.00	872.40	4,282.48	6,875.00	113,135.45
June	37	2,722.12	7,878.76		37,350.00		3,309.28	5,575.00	56,835.16
July	36	4,921.48	57,246.94	11,200.00	69,975.00	2,000.00	4,968.26	7,900.00	158,211.68
August	36	2,294.68	7,958.79	4,668.00	53,300.00	1,000.00	3,854.53	5,325.00	78,401.00
September	42	4,566.54	9,554.73	10,206.00	74,850.00		4,102.52	6,350.00	109,629.79
October	79	11,745.28	24,395.64	10,883.45	114,250.00	630.00	7,101.28	12,100.00	181,105.65
November	36	1,341.32	8,031.84		60,200.00		3,489.45	5,710.00	78,772.61
December	52	2,771.13	17,101.82		81,650.00		5,760.63	8,050.00	115,333.58
January	38	1,450.22	16,505.12		51,450.00		3,059.40	5,200.00	77,664.74
February	53	3,737.53	24,710.59		93,150.00		6,323.91	9,375.00	137,297.03
March	64	4,889.33	12,459.91		103,500.00	1,000.00	4,983.59	6,475.00	133,307.83
	563	50,424.08	215,678.32	36,957.45	863,225.00	5,502.40	54,276.35	84,635.00	1,310,698.60
		4.00%	16.50%	3.00%	65.50%	.50%	4.50%	6.00%	100%

NOTE: In addition to the above total of awards ordered, the cumulative total of Periodic Payments made amounted to \$301,138.28. This included continuing periodic payments ordered in previous years.

SUMMARY OF DECISIONS

APRIL 1, 1977 TO MARCH 31, 1978

The volume of cases dealt with by the Board is such that in order to prevent this report from becoming unduly long, every second Board Order has been summarized.

200-157 The victim, a 45 year old cleaning lady, was killed as a result of a fire and explosion set by five arsonists. The applicant was the victim's husband and was dependent on his wife's income at the time of the explosion. He was actually talking to his wife on the phone at the time of the explosion and now suffers from "psychotic depression". One offender was convicted of arson and manslaughter and sentenced to 15 years in jail. Two others were acquitted on appeal and two others are in jail in Italy for their part in this occurrence.

Award: \$200.00 per month (pain and suffering \$5,000.00)

200-601 The applicant, a 50 year old farmer, was seated in his home when a male neighbour entered and threatened him with death. The offender fired, wounding the applicant in the hand, causing permanent disfigurement and a 50% loss of function. The offender was convicted of wounding and sentenced to 12 months in prison.

Award: \$7,411.02 (pain and suffering \$7,000.00)

200-854 The applicant, aged 39 years, was disturbed from her sleep by a young male who gained access to her apartment. In attempting to protect herself from his sexual attack, she injured her right thumb requiring surgery, skin grafts and physiotherapy. The offender was convicted of indecent assault and received a suspended sentence with two years probation.

Award: \$6,914.47 (pain and suffering \$6,000.00)

200-1036 The applicant was employed at a psychiatric hospital. One patient began to attack another with a knife and in attempting to subdue the attacker, the applicant became the object of the attack. The injuries he received were lacerations to the face and head, as well as bruising. He also suffers from anxiety neurosis. The offender was not convicted of a criminal offence due to his mental state.

Award: \$8,471.27 (pain and suffering \$8,000.00)

200-1116 The applicant, a 38 year old truck driver, separated two females apparently fighting over the sale of a refrigerator. When the applicant went outside, he was attacked from behind without warning by a man associated with one of the women. The blow resulted in a twisting fracture of his leg. The offender was found guilty of common assault and was fined \$175.00 or 30 days.

Award: \$8,690.30 (pain and suffering \$4,500.00)

200-1266 The applicant, a 46 year old security guard for an apartment building, attempted to stop the removal of a parked vehicle from the building's parking lot. The two men operating the tow truck were apparently bailiffs from a private firm and pushed the security guard to the ground. The applicant suffered general multiple bruises and sprains, a swollen right knee and a fractured finger. No charges were laid against the offenders.

Award: (pain and suffering \$800.00)

200-1447 The applicant, a 33 year old female accompanied the male offender to the grandmother's where she was given a drink that resulted in her passing out. The applicant was later discovered on the road, suffering from a severe beating to the head and face. The offender was found guilty of assault causing bodily harm and sentenced to 15 months in jail, plus 10 months indefinite.

Award: \$2,375.35 (pain and suffering \$2,000.00)

200-1501 The applicant, aged 19 years was attending a party and was the victim of a totally unprovoked assault by three other youths at the party. He suffered a fractured nose, three fractured teeth, a swollen face and two black eyes. One offender was charged with common assault and sentenced to 60 days in jail, a second received a conditional discharge and one year probation and charges were dropped against the third offender.

Award: \$2,075.53 (pain and suffering \$1,700.00)

200-1651 The applicant, 80 years of age and his wife were attacked in an attempted robbery which resulted in the death of the applicant's wife. The applicant himself sustained a bullet wound to the top of his head and his face. The offender was charged with murder and sentenced to life imprisonment.

Award: \$200.00 per month (pain and suffering \$1,000.00)

200-1676 The applicant, a 27 year old man exited from his car after it was struck in the rear by the offender's car. A verbal exchange took place which culminated in the offender striking the applicant. This resulted in the applicant suffering a fractured skull, a broken nose and a concussion. The offender, a former professional boxer was convicted of assault causing bodily harm and sentenced to 90 days in jail.

Award: \$5,167.50 (pain and suffering \$3,000.00)

200-1690 The victim, aged 30 years ordered the offender off his property. When the offender returned with some other men who had chains and tire irons, the victim stood guard with a rifle. The offender went away and returned with a rifle shooting him dead. The applicant is the victim's wife and claims on her own behalf and her 3 children. The offender was convicted of manslaughter and sentenced to 7 years in prison.

Award: \$5,474.64

200-1725 The applicant, a 30 year old design draftsman, was walking his dog in a Toronto Park. The applicant was approached by two youths

who appeared to be under the influence of alcohol and after he asked them to leave him alone, they assaulted him by kicking him. He suffered a fracture of the right arm, as a result of the attack. One offender was convicted of common assault and received a sentence of \$100.00 or 30 days. The other offender was acquitted.

Award: \$2,585.20 (pain and suffering \$850.00)

200-1773 The applicant, a 25 year old child care worker went to the aid of his sister when he saw her male friend raising a hand as if to strike her. The applicant was not aware the man had a hunting knife in his hand and was stabbed in the upper chest. The applicant is left with an 8 inch scar, a marked flattening of the upper left chest area and a loss of strength in the left arm. The alleged offender was arrested and charged with wounding. The charge was dismissed due to the indictment being incorrectly drafted.

Award: \$3,526.88 (pain and suffering \$3,000.00)

200-1894 The applicant, who is a retired lawyer aged 55, was alighting from an elevator in the building in which he resided. He was assaulted struck on the head and face and knocked to the floor where he was kicked in the face. His glasses were knocked off and broken. He suffered a comminuted fracture of the tip of the nasal bridge and swelling on the left side of the face. Charges were dismissed against the alleged offender.

Award: \$470.65 (pain and suffering \$350.00)

200-1924 The applicant, a 30 year old police constable, was attempting to arrest a male for causing a disturbance. A struggle ensued, resulting in the leg of the applicant twisting and him falling. He suffered a partially crushed left knee-cap, torn ligaments and torn cartilage. The offender was arrested and charged with causing a disturbance but the charge was dismissed.

Award: \$7,592.84 (pain and suffering \$4,500.00)

200-1987 The applicant, aged 28, was walking with a girl he recently met when the offender drove his motorcycle up on the sidewalk and ran the applicant down, breaking his wrist. He then hit the applicant on the side of the face with his motorcycle helmet, breaking the applicant's jaw. The offender was an ex-friend of the girl and resented her attention to the applicant. The applicant claimed only for his jaw since he received compensation for his wrist from insurance adjusters. The offender was convicted of criminal negligence causing bodily harm and sentenced to 6 months in jail.

Award: \$650.00 (pain and suffering \$500.00)

200-2031 The applicant, aged 64, was about to enter an apartment residence when he was set upon by two males who assaulted him about the mouth and upper torso. He was also knocked to the ground and sustained a subtrochanteric fracture of the left hip and a 14 inch long steel plate had to be implanted. The offender was charged and convicted of assault causing bodily harm and sentenced to one year in jail and placed on probation for two years.

Award: \$11,637.44 (pain and suffering \$2,500.00)

200-2044 The applicant, a 57 year old pensioner, was returning home when she was assaulted by two youths who attempted to steal her purse. When she resisted, the two youths struck her with their fists, knocking her to the ground and then kicked her several times, fleeing with her purse. One offender was charged and convicted of robbery with violence and sentenced to three months in jail with 12 months probation. The second offender was a juvenile and received a suspended sentence and was placed on probation for nine months.
Award: \$1,005.00 (pain and suffering \$500.00)

200-2080 The applicant, a 69 year old retired male told a girl in a restaurant that she should not have her feet on the table. The female pushed him out the door where he fell and was kicked and robbed by a male who had joined her. The kicking aggravated a previous existing osteoarthritic condition in the left hip. The offenders were arrested and charged but the Crown elected not to proceed.
Award: \$850.00 (pain and suffering \$850.00)

200-2051 The applicant, a student aged 17 years, was shot in the left elbow when the offender went berserk in school, wounding several others. The applicant had been drafted by a Major Junior "A" Hockey Team and would have obtained a hockey scholarship. The applicant now has little use of the left hand and may permanently have a "Solid Elbow". The offender committed suicide after the shooting.
Award: \$14,981.00 (pain and suffering \$7,500.00)

200-2063 The applicant, a 44 year old upholstery cutter, approached a strange motor vehicle parked in his driveway. Upon trying to assist the offender who said he had engine trouble, the applicant was struck on the head by some weapon. The applicant sustained lacerations to his head and face and developed a concussion, which persisted in the form of occasional dizziness. The offender was charged and convicted of assault causing bodily harm and sentenced to 2 years in jail and one year probation.
Award: \$4,990.00 (pain and suffering \$2,000.00)

200-2104 The applicant, a 58 year old secretary was attacked from behind and had her purse snatched. The applicant's injuries were minimal and consisted mainly of a pulled muscle resulting in limited movement of the left arm for a few weeks.
Award: \$200.00 (pain and suffering \$200.00)

200-2184 The applicant, aged 26 years, was awakened in the middle of the night by the screams of a roommate. Upon discovering a fire apparently set by arsonists, and that exits were blocked, she jumped out the window, fifteen feet to the ground. The applicant suffered several bilateral calcaneal fractures of both heels of her feet. The offender is unknown.
Award: \$12,717.32 (pain and suffering \$12,000.00)

200-2217 The applicant, aged 27 years, was in a subway station waiting for a train when the offender assaulted him. The applicant suffered a fractured skull, damage to his teeth and some damage to his right shoulder. Some verbal discussion apparently took place before the attack and the applicant received a reduced award for pain and suffering, due to his lack of sobriety. The offender was convicted and charged with assault causing bodily harm and sentenced to eighteen months in jail.

Award: \$1,937.00 (pain and suffering \$1,000.00)

200-2225 The victim, aged 28 years, was brutally murdered in her home. The applicant, the victim's husband, claims on his own behalf and his two children. The offender was convicted of murder and sentenced to life imprisonment.

Award: \$5,968.00 and \$225.00 per month until eldest child is 16 years of age

200-2235 The applicant, aged 36, was injured by alleged members of a motor cycle gang following an altercation outside a tavern. He had heard his friend was being beaten and when he went to investigate, he was attacked from behind, punched, kicked, beaten about the head, mouth, eyes and upper body. He was also stabbed in the side. The offender is unknown.

Award: \$1,336.00 (pain and suffering \$750.00)

200-2246 The applicant, a 26 year old visitor to Canada, became involved in an altercation which broke out between two factions at a Sikh Temple he was attending in Toronto. He was stabbed in the left chest and also struck on the head, hand and side of the body with a blunt instrument. When the matter came before the Courts, it was agreed that all charges would remain unheard and that all parties could be bound over subject to a \$100.00 fine if they failed to keep the peace for one year. Thirteen individuals were charged with various contraventions of the Criminal Code.

Award: \$3,000.00 (pain and suffering \$3,000.00)

200-2248 The applicant, a 62 year old housewife, was in a cocktail lounge with her husband when a beer bottle was thrown from another part of the room, smashing on the applicant's table. The applicant required 14 sutures to a laceration of her right arm. The charge of assault causing bodily harm was dismissed against the alleged offender, due to lack of intent.

Award: \$810.92 (pain and suffering \$600.00)

200-2271 The applicant, a 30 year old police constable, while on duty and going to the aid of a fellow police officer, was struck over the head with a quart size beer bottle by an unidentified person. Four sutures were required to close a deep laceration on the side of the applicant's head. The offender is still unknown.

Award: \$6,224.05 (pain and suffering \$5,000.00)

200-2286 The applicant, who is 49 years of age, had been arguing with the offender. The offender finally assaulted the applicant who sustained a fracture of the left side of the face which involved the cheekbone and the lower jaw. The placement of pins and a head cast was required for 24 days. The offender was convicted and sentenced to two months in jail for assault causing bodily harm.

Award: \$1,223.80 (pain and suffering \$850.00)

200-2298 The applicant, a 66 year old security guard, was shot in the arm and back by his son. The left arm had to be amputated below the elbow. The neck and shoulder gave constant pain for which there is no treatment. The offender was found not guilty of attempted murder by reason of insanity.

Award: \$7,497.00 and \$250.00 per month (pain and suffering \$3,500.00)

200-2336 The applicant, a 26 year old restaurant worker, went to the aid of a friend who was being assaulted on the street. He was struck from behind by a person wielding a tire iron. The applicant sustained a fracture of the left wrist, lacerations to the left forearm and two fractured ribs. He also sustained contusions and bruising to the stomach and knee. The offender was convicted of assault causing bodily harm and sentenced to 60 days in jail or \$500.00 fine.

Award: \$2,667.00 (pain and suffering \$1,500.00)

200-2357 The applicant, a 23 year old manager, was at a hotel with a group of people. The offender was in several arguments with the patrons and was ejected. When the applicant decided to leave, the offender was waiting and started to attack him. The applicant was struck in the face and received a laceration of the left lower eyelid and a fracture of the left nasal bone. The offender was charged and convicted of assault causing bodily harm which was dismissed due to lack of evidence.

Award: \$1,390.26 (pain and suffering \$1,000.00)

200-2362 The applicant is a 46 year old correctional officer, who was shot by one of the inmates. The applicant was in intensive care for 10 days and remained in the hospital for 58 days. He was unable to return to work for 14 months. The offender was charged and convicted of attempt murder and sentenced to 5 years consecutive to other charges.

Award: \$11,441.00 (pain and suffering \$9,000.00)

200-2379 The applicant, aged 49 years, was shot in the left arm during a hold-up of the small confectionary store he operated. He suffered a great loss of blood and much discomfort from his injury for about 1 1/2 years. He is left with permanent damage to his left hand which makes it difficult to carry out his duties. The alleged offender was subsequently convicted on unrelated charges.

Award: \$2,734.00 (pain and suffering \$2,500.00)

200-2400 The applicant, an 80 year old pensioner, was struck twice in the left eye with a bottle during a robbery of his home causing a laceration of the cornea, a fractured nose and bruising of the face. He

had poor vision in his right eye and now is blind in his left eye. The alleged offender was acquitted on the charges of robbery and assault causing bodily harm due to the applicant's inability to make a positive identification.

Award: \$2,698.63 (pain and suffering \$2,400.00)

200-2424 The applicant, aged 33, was officiating as a linesman at an industrial league hockey game. During the imposition of a penalty, the offender struck the applicant in the jaw with his fist. The applicant was treated for concussion, stiff neck and a sore jaw. He was kept 5 days in intensive care and needed 12 physiotherapy treatments. The offender pleaded guilty to assault causing bodily harm and was given a conditional discharge and placed on probation for 18 months.

Award: \$1,344.20 (pain and suffering \$800.00)

200-2431 The applicant, a 41 year old painter, was leaving a hotel in which he had been drinking. When passing through the outer doors, he was assaulted and robbed by three men. The applicant's injuries were to the face and head, both eyes being swollen shut, the nose lacerated and bruised. He also suffered a permanent reduction in the efficiency of one eye. The identity of the offender is unknown. The award was reduced because of the applicant's inebriated condition at the time of the attack

Award: \$1,938.50 (pain and suffering \$1,500.00)

200-2438 The applicant, aged 25, came to the aid of a person being attacked and was in turn attacked. He sustained an undisplaced crack fracture of the nasal bones and facial lacerations. The offenders were charged and convicted of assault causing bodily harm and sentenced to three months imprisonment.

Award: \$289.00 (pain and suffering \$200.00)

200-2449 The applicant, aged 58, entered a bar where he met a female. Upon leaving, the applicant was knocked to the ground and kicked by three assailants. He now suffers a permanent loss of the sense of smell, blurred vision in both eyes, a speech defect and frontal lobe damage, amounting to impairment in decision making. His kidney and bladder were also damaged. Only one offender is known who pleaded guilty to common assault and was sentenced to 90 days.

Award: \$4,171.82 (pain and suffering \$3,500.00)

200-2461 The applicant, a 73 year old pensioner, met two males in a hotel. They offered to drive him home and while in the parking lot assaulted and robbed him. The applicant suffered contusions to the nose and face, a laceration to the floor of the mouth, a fracture of the anterior ramus of the mandible. Due to insufficient evidence, no charges were laid and the offenders remain unknown.

Award: \$960.00 (pain and suffering \$950.00)

200-2477 The applicant, a 51 year old pensioner, was a customer at a movie theatre. As he tried to take his seat, he thought the offender was

trying to rob him, so he grabbed at his thumb. The offender thought he was going to be robbed and assaulted the applicant with his crutch. The applicant was treated for lacerations to his upper lip and scratches to his face. He also complains of neck pains and dizziness. The award was reduced under Section 17(1). The charge of common assault was dismissed against the alleged offender.

Award: \$181.50 (pain and suffering \$150.00)

200-2481 The applicant, aged 35 and unemployed, was assaulted three times within a four hour period by a friend he was trying to rehabilitate. The applicant sustained a fracture to the right forearm and a fracture of the ring finger of the left hand. The offender was convicted of common assault and sentenced to five days in jail.

Award: \$850.00 (pain and suffering \$650.00)

200-2487 The applicant, a 24 year old roofer, parked his car behind the building where he lived. It was late at night and he was discussing various topics with a couple of neighbours when the offender asked him to be quiet. When he refused, the offender shoved a glass in his face. He suffered multiple lacerations of forehead, upper nose area and below the eyes which required 22 sutures. The offender was charged with wounding with intent but the charge was dismissed due to incomplete evidence.

Award: \$1,492.77 (pain and suffering \$1,000.00)

200-2489 The applicant, a 72 year old proprietor of a tourist lodge was assaulted by trespassers on his property. The trespassers had been drinking and hit the applicant in the face with a whiskey bottle, when he asked them to leave. He suffered a two inch laceration above the right eye and numerous contusions and abrasions to the area of both eyes and the cheek. The offender was convicted of assault causing bodily harm and sentenced to 30 days in jail or \$150.00 fine.

Award: \$884.88 (pain and suffering \$400.00)

200-2493 The applicant, a 37 year old self-employed lighting director while going to a washroom in a tavern was attacked. He suffered a 3/4-inch laceration of the lower left eyelid and on the inside aspect of the eyelid. There is constant tearing of the right eye and a dislocated cataract requiring possible treatment. Glaucoma may also develop as a result of the attack. The offender is unknown.

Award: \$4,384.00 (pain and suffering \$4,000.00)

200-2517 The applicant, aged 45, who was superintendent of an apartment building, accompanied the manageress of the same apartment complex as the latter was about to serve an eviction notice. The occupant grabbed the applicant and threw her against the wall. She then choked her and struck her in the throat. The offender's husband returned later with an axe handle and threatened more violence. The applicant suffered an injury to the larynx. One offender was convicted of common assault and placed on probation for 1 year. The other offender was convicted of possession of a dangerous weapon and fined \$500.00 or 20 days.

Award: \$1,491.80 (pain and suffering \$1,000.00)

200-2525 The applicant, aged 68, was assaulted by her husband and another man at her home and sustained minor bruises. She was duly notified of the hearing but failed to attend thus the Board proceeded on documentary evidence in accordance with Section 7 of the Statutory Power Procedures Act. One offender was convicted of assault and received a \$25.00 fine plus one year probation. The other offender received a suspended sentence.

Award: \$200.00 (pain and suffering \$200.00)

200-2529 The applicant, aged 20, was attacked by two men who broke into her apartment and beat her about the face, mouth and arm. Lacerations to the mouth and chin required 23 stitches. One offender was convicted of assault causing bodily harm and fined \$300.00 or 30 days. The other was charged with the same and sentenced to six months imprisonment.

Award: \$1,500.00 (pain and suffering \$1,500.00)

200-2540 The victim, a 12 year old student, was in a lane behind a residence when another youth fired a pellet gun and wounded him in the forehead. The application is brought by the victim's father. Removal of the pellet required 6 sutures. The victim suffered pain and headaches for two weeks. The juvenile offender was charged with dangerous use of firearm, but the charge was dismissed.

Award: \$479.98 (pain and suffering \$350.00)

200-2543 The applicant, a 37 year old truck driver, had attended a dance at a hall in Toronto. On leaving, he noticed a number of people arguing over cars parked outside the building. Realizing that there was trouble, he re-entered the hall to phone the police at which time, he was stabbed in the groin area sustaining a 1½ inch deep puncture wound. The offender was convicted of assault causing bodily harm.

Award: \$6,397.75 (pain and suffering \$1,000.00)

200-2549 The applicant, a 61 year old packaging clerk, was standing looking at some blouses on a rack in front of a store. She was forcefully pushed and knocked to the ground by two youths who then fled. She suffered an undisplaced intertrochanteric fracture of the neck of the left femur. There continues to be discomfort in one of her legs. No offender has ever been apprehended.

Award: \$3,046.00 (pain and suffering \$2,000.00)

200-2571 The applicant, aged 19, and some friends, were talking in a shopping plaza. Three males emerged from the Hotel across the street and attacked the two friends and then the applicant. The assailant punched him in the mouth and stabbed him in the shoulder. The offender pleaded guilty to assault causing bodily harm and was sentenced to 16 months in jail.

Award: \$932.00 (pain and suffering \$750.00)

200-2584 The applicant, 72 years of age, was attacked by five youths. He was knocked to the ground and kicked several times. The applicant

sustained a broken left clavicle and a fracture of the left 9th rib. The offenders were never apprehended.

Award: \$750.00 (pain and suffering \$750.00)

200-2598 The applicant, aged 20, was on his way home when he was accosted by three youths in a van. He had reported earlier that one of the youths had stolen some equipment from his car and this prompted the attack. The applicant sustained two broken teeth, severe facial injuries and numerous bruises to the arms, back and legs. All three were convicted of the assault. One was sentenced to two years less one day, one to 90 days and the last to 60 days.

Award: \$1,591.00 (pain and suffering \$750.00)

200-2614 The applicant, aged 27, who had been living apart from his wife wished to talk with her. An argument developed and she threw a vase at him injuring his forearm and wrist and causing curtailment of movement in three fingers. She was found guilty of common assault and given a conditional discharge. When the applicant tried to go next door to discuss his problem with his neighbour, he was told to go away and when he did not, he was stabbed. As a result, the applicant underwent surgical repair of a penetrating abdominal stab wound, the penetration of the anterior and posterior wall of the stomach, and a laceration of the gastrocolic ligament. The offender was found guilty of wounding, received a suspended sentence and was placed on probation for 2 years. Pain and suffering was reduced under 17(1).

Award: \$827.00 (pain and suffering \$500.00)

200-2622 The applicant, aged 35, was playing the guitar for his mother and the offender. When he ceased to play, the offender asked him to continue and when he refused, the offender kicked him into unconsciousness. The applicant has been left with paralysis in his right arm and a permanent injury to the right leg. The offender was convicted of assault causing bodily harm and given a suspended sentence and placed on probation for 2 years.

Award: \$5,635.00 (pain and suffering \$5,000.00)

200-2634 The victim, a minor at the time, was attacked by some youths who had asked him over to one of their houses. He was beaten about the face, arm and shoulder. He received a fracture to his nose and general bruising and contusions about the face and shoulders. The two offenders were convicted of assault causing bodily harm and given a suspended sentence plus probation for 1 year and ordered to make restitution to the victim of \$250.00 each.

Award: \$1,180.00 (pain and suffering \$750.00)

200-2637 The applicant, aged 24, was working as a part-time parking lot attendant, when he was attacked by a customer in a dispute over a parking fee. The applicant sustained a fracture of the malar bone of the left face, bruising and lacerations of the left face and left eye and bruising of the abdominal muscles. The alleged offender has not been located.

Award: \$932.68 (pain and suffering \$750.00)

200-2665 The applicant, aged 28, who is a millwright was at work in a new plant when he was blown sideways by an explosion. He was thrown into a wall and as a result lost 50% hearing in the left ear for a month and will permanently suffer from mild deafness in the left ear. No one has been apprehended for setting the explosion.

Award: \$1,463.08 (pain and suffering \$950.00)

200-2674 The applicant, aged 22, went to the house where his girlfriend was babysitting to talk about their relationship. Another male friend was sitting in the kitchen and attacked the applicant when he arrived. As a result of the beating, the applicant received facial bruises and two upper front teeth and one lower front tooth were broken. The other teeth were loosened. The offender was convicted of assault causing bodily harm and sentenced to 60 days in jail.

Award: \$2,944.00 (pain and suffering \$1,500.00)

200-2694 The applicant, aged 23, was entertaining a male friend in her apartment when he suddenly became offensive and attacked her. She suffered lacerations to the throat and chest, one of which punctured a lung, and numerous scars still remain. The offender was convicted of assault causing bodily harm and given one year imprisonment definite and one year indefinite plus two years probation.

Award: \$1,908.76 (pain and suffering \$1,650.00)

200-2698 The applicant, a 32 year old truck driver, left a restaurant with his wife. As they approached their automobile in the parking lot, two men appeared and tried to assault the applicant. The applicant sustained lacerations to his forehead, scalp and left eyebrow, as well as, multiple bruising and abrasions of the face and groin area. The charge of common assault was withdrawn against the offender and a peace bond entered into for one year.

Award: \$417.00 (pain and suffering \$300.00)

200-2719 The applicant, a 33 year old bus driver for the Toronto Transit Commission noticed a disturbance in progress at the rear of the bus. The applicant tried to prevent the offender from continuing the disturbance, and as a result, he was assaulted. He fell against a seat injuring his back and also suffered contusions to the left side of his face, abrasions and bite marks. The offender was convicted of assault causing bodily harm and was sentenced to 40 days imprisonment and one year probation.

Award: \$869.83 (pain and suffering \$500.00)

200-2728 The applicant, a 55 year old plant supervisor, was inspecting one of his welder's work. A dispute arose and the offender struck the applicant on the face and knocked him to the ground. It was alleged he struck him five or six times. As a result, the applicant sustained a fractured sinus bone, bruising of the face and laceration of the lip. The offender was convicted of assault causing bodily harm and fined \$200.00 or 20 days.

Award: \$1,500.00 (pain and suffering \$1,500.00)

200-2740 The applicant, aged 60, was returning from her job as a sales clerk when a tall youth grabbed at her, threw her heavily to the sidewalk and then took her purse. The applicant sustained a fracture and dislocation of the left shoulder. She will never regain full shoulder function and suffers from continuing pain in her arm from time to time. The offender is unknown.

Award: \$2,706.00 (pain and suffering \$2,250.00)

200-2746 The applicant, aged 22, was leaving her mother's apartment and was proceeding down a laneway when her former boyfriend blocked the lane with his car. He began to fire a rifle at her and finally shot her in the back. The offender then took his own life.

Award: \$4,740.88 (pain and suffering \$3,000.00)

200-2760 The applicant, aged 35, was attacked and beaten as he left a restaurant late at night. He suffered a nasal fracture, badly swollen face and eyes and a bad rupture of the left thumb. The Board found his inebriated state contributed to his injury and thus invoked 17(1) of the Act to reduce his compensation for pain and suffering.

Award: \$1,098.80 (pain and suffering \$750.00)

200-2774 The applicant, aged 48, was assaulted at his own tourist camp when he argued with four younger men who had thrown the applicant's son fully clothed into the lake. The applicant sustained an injury to his left shoulder, one tooth was knocked out and he suffered lacerations to the facial and neck areas. Two offenders were found guilty of assault causing bodily harm and each received a suspended sentence and was placed on probation for two years.

Award: \$4,710.10 (pain and suffering \$2,500.00)

200-2779 The victim, aged 10, was playing with school friends behind the building where he lived. Two youths came along and one approximately aged 13 who was allegedly target shooting fired in the direction of the victim striking him in the eye. The eye was required to be removed. Since continual checks and refittings of the prosthesis will be required, the applicant was reminded of Section 24 of the Act. The juvenile offender was charged with criminal negligence and found to be delinquent under the Juvenile Delinquents Act.

Award: \$8,130.00 (pain and suffering \$7,500.00)

200-2784 The applicant, a 35 year old truck driver was assaulted and robbed as he walked down a street. He was kicked in the head several times and underwent surgery for evacuation of an acute subdural

haematoma, as well as, the insertion of a right temporal acrylic plate. The offenders are still unknown. The Board invoked 17(1) of the Act to reduce the award.

Award: \$1,200.00 (pain and suffering \$1,200.00)

200-2786 The applicant is a 42 year old bank manager and father of five children. The offender entered the applicant's bank with dynamite wired to his chest. During the robbery, the offender struck the applicant on the temple with a telephone. Later, the bomb went off by accident and the applicant suffered a concussion as a result of the blast. The applicant now suffers from emotional problems, postural faintness, poor concentration, and depression. The offender died in the explosion.

Award: \$9,625.00 (pain and suffering \$9,000.00)

200-2810 The applicant, aged 21, and a lady friend were in a tavern. Moments after arriving, he saw a friend and as he walked over to say hello, an unknown male stood up and punched the applicant. His attacker then struck him with a beer bottle in the face inflicting lacerations which required sixty stitches. The alleged offender was found not guilty of assault due to lack of proper identification.

Award: \$701.48 (pain and suffering \$600.00)

200-2818 The applicant, aged 22, was talking to a friend in a bar when another male, unknown to him started to harrass him. The applicant tried to move to another part of the premises, but the offender followed him and stabbed him in the left shoulder and abdomen. The offender was convicted of assault causing bodily harm and fined \$200.00 or 20 days.

Award: \$836.00 (pain and suffering \$600.00)

200-2834 The applicant, a 32 year old police constable, was shot twice by two men carrying rifles who had entered the police detachment office. The applicant was injured in the left shoulder, right hand and right ear. The left hand will be deformed, the distal portion of a finger was missing and the left eye showed a subconjunctival haematoma. The offenders were convicted of attempted murder and were each sentenced to 10 years imprisonment.

Award: \$11,866.55 (pain and suffering \$11,000.00)

200-2840 The applicant, a 65 year old housewife, was walking along a street when a young man grabbed her purse from behind. She attempted to resist but was pushed to the sidewalk and struck several times. The applicant sustained abrasions and contusions, a residual scar on her left knee and a general numbness in the right side of her knee. The offender was sentenced to 12 months in the reformatory for robbery.

Award: \$750.00 (pain and suffering \$600.00)

200-2852 The applicant, 22 years of age, received the discharge of a shotgun while in the residence of a fellow employee. The applicant

suffered complete destruction of his sigmoid colon necessitating a colostomy. He also suffered a fractured pelvis and left leg paralysis. The offender was charged and convicted with possession of a firearm in a manner dangerous to the safety of others and received a term of imprisonment for one year.

Award: \$12,773.22 (pain and suffering \$8,500.00)

200-2858 The applicant, aged 21, was working in a store when two youths threatened her with a knife for the money in the till. Before they left, they punched her in the face causing lacerations to her face and a contusion under the right eye requiring four stitches. The offenders are unknown.

Award: \$250.00 (pain and suffering \$250.00)

200-2866 The applicant, a 45 year old police officer was responding to a call of a man holding six hostages by shotgun. He manoeuvred himself behind the offender but was heard and shot in the right hip. He now has difficulty sleeping, walking and running. The offender was convicted on a charge of attempted murder and sentenced to three years imprisonment.

Award: \$1,500.00 (pain and suffering \$1,500.00)

200-2886 The applicant, a 32 year old welder, was attending a party with other workers when a torrent of racial slurs were hurled at him. One individual finally struck the applicant in the face with an iron bar. The applicant sustained a broken jaw that was wired shut for eight weeks. Bench warrants are outstanding against two offenders.

Award: \$4,718.50 (pain and suffering \$2,500.00)

200-2889 The applicant, a 57 year old registered nurse, was preparing to give an injection to a patient when he attacked her with his fists, kicked her and jumped on her. She required twenty-five sutures and suffered from a fracture of the nose and two ribs. The offender was convicted of assault causing bodily harm and sentenced to two years less one day.

Award: \$3,873.00 (pain and suffering \$3,500.00)

200-2892 The applicant, aged 20, was hitchhiking home when a blue van stopped to pick him up. When he approached it, he was beaten. The applicant sustained damage to six front teeth. The offenders have not been apprehended.

Award: \$1,590.60 (pain and suffering \$1,000.00)

200-2894 The applicant, a 40 year old chef, invited some friends of his friend back to his apartment to share a pizza. One of the men suddenly grabbed a butcher knife and demanded the applicant's money. While attempting to escape, his hand was slashed by the offender. The applicant suffers from a loss of feeling in his thumb. Charges against the offender were dismissed due to the failure of witnesses to appear.

Award: \$811.38 (pain and suffering \$600.00)

200-2901 The applicant, a 41 year old bus driver, was assaulted by a passenger on a Greyhound bus when he attempted to prevent the offender from driving off with the bus. There was no permanent disability, but he suffered from post-concussion type headaches. No charges were laid because the offender was found to be mentally ill.
Award: \$4,254.08 (pain and suffering \$3,000.00)

200-2909 The applicant, a 19 year old labourer, was in the stairwell of an apartment building when a neighbour threw boiling water on him from the landing above. The applicant suffered scald burns on his left shoulder, left arm and left chest area. The offender pleaded guilty to assault causing bodily harm and was given a suspended sentence with two years probation.
Award: \$605.00 (pain and suffering \$250.00)

200-2911 The applicant, a 21 year old typist, went to her babysitter's apartment to retrieve some of her child's toys. An argument developed and one of the offender's children was jostled causing the offender to throw the applicant against the hall wall. She suffered a laceration to the forehead requiring 10 sutures and is left with a faint scar and an increased number of headaches. The offender was convicted of common assault and sentenced to one year probation.
Award: \$995.00 (pain and suffering \$700.00)

200-2928 The applicant, 42 years of age, was assaulted by a person who had broken into her home. She suffered a sprain of the lumbar spinal region and muscular splinting of the large muscles of the right hip, thigh and shank. The offender has not been apprehended.
Award: \$2,269.96 (pain and suffering \$1,250.00)

200-2935 The applicant, a 33 year old O.P.P. officer, approached a car he had just forced to stop. Suddenly, he was struck from the rear with a club. He suffered fractures of the cheek and jaw. The offender was convicted of wounding and sentenced to 12 month definite and a 12 month indefinite jail sentence.
Award: \$3,690.52 (pain and suffering \$3,500.00)

200-2937 The applicant, a 20 year old student, was hit by a number of shot-gun pellets which were fired by a fellow student in a class room in Ottawa. Pellets were found in the scalp, neck and back. Approximately 30 pellets still remain and may be removed later. The offender took his own life.
Award: \$1,781.00 (pain and suffering \$1,500.00)

200-2942 The applicant, aged 20, was working as an usher when he was attacked by four persons. A few days later, he was assaulted by the same persons. He suffered a broken nose as a result of the attacks. The offender was convicted of common assault and fined \$50.00 or 10 days.
Award: \$350.00 (pain and suffering \$350.00)

200-2961 The applicant, aged 19, was ice skating when a person motioned him over. The individual then grabbed him by the throat and then punched him in the left eye. He suffered a fracture to his left eye and had double vision until it was corrected by surgery. The offender was convicted of common assault and received an absolute discharge.
Award: \$957.88 (pain and suffering \$600.00)

200-2963 The applicant, a 27 year old housewife, was assaulted twice in her apartment. Her common-law husband came for a visit which resulted in an argument and him striking her several times. He left the apartment and later returned to get his coat at which time he struck her again. She sustained black eyes, two fractured teeth and bruises to her arms and back. The charge of assault causing bodily harm against the offender was dismissed.
Award: \$1,410.00 (pain and suffering \$900.00)

200-2976 The victim, a 15 year old student, was in a playground when another youth came up and accused him of stealing his bike. The offender grabbed a surveyor's plumb bob out of the victim's hand. It had been attached to the victim's finger by string and it severed the index finger above the first joint. The victim has suffered a permanent loss and shortening of the finger. The juvenile offender was found guilty of assault and received a conditional discharge.
Award: \$900.00 (pain and suffering \$750.00)

200-2980 The applicant, a 23 year old life underwriter, went to pick up his younger brother who was playing in a high school hockey game. When he arrived, he was the victim of an unprovoked assault by a spectator. He sustained numerous fractures of the nose and is still left with some continuing discomfort in cold weather. The offender was convicted of assault bodily harm and sentenced to three months in jail or \$500.00.
Award: \$782.00 (pain and suffering \$500.00)

200-2986 The victim, a 17 year old student, along with a friend picked up two men hitchhiking. They went to a bar with them and consumed approximately four beers. The boys then agreed to drive the two men to their cottage. The men invited them in and then gave them a severe beating. The victim suffered a laceration to his forehead and is left with a noticeable scar. In addition, he suffered damage to his mouth and teeth. No charges were laid and the Board invoked Section 17(1) of the Act.
Award: \$750.

200-2989 The applicant, a 41 year old labourer, was told by the superintendent that he and his son should stop making noise in the hall since it was late at night. The applicant told him to "get lost" whereupon the superintendent of the next building came to his assistance. A scuffle ensued and the applicant suffered a laceration to his forehead, damages to his left shoulder, two black eyes and bruising to the groin area. Only one offender was convicted of assault causing bodily harm and was fined \$200.00 or 10 days in jail. The Board invoked Section 17(1) to reduce the award.
Award: \$1,635.40 (pain and suffering \$1,200.00)

200-2996 The applicant, aged 28, went to a door to deliver a message. When the door was opened, the offender shot him in the right shoulder with a shotgun. He suffered a great loss of motion and strength in his shoulder. The offender was convicted of wounding and sentenced to twelve months definite and twelve months indefinite.

Award: \$11,316.00 (pain and suffering \$8,500.00)

200-2998 The applicant, a 31 year old student, was walking along a street when two men came from a car and assaulted him. He sustained two broken teeth, a fractured nose, lacerations to his forehead and a sore jaw. The offenders have not been apprehended.

Award: \$1,869.00 (pain and suffering \$1,200.00)

200-3006 The applicant, an 18 year old student, was leaving a park with some friends when he was accosted by a group of youths who had been drinking. He suffered two major fractures to his jaw. The offender was convicted of assault causing bodily harm and sentenced to four months in prison.

Award: \$3,309.58 (pain and suffering \$750.00)

200-3009 The applicant, a 47 year old self-employed taxi driver, was getting ready to go to bed when two men broke into his house. They struck him about the left ear and left arm. He sustained a laceration through the top of his left ear and a further laceration on his left elbow and forearm. The two offenders were convicted of assault causing bodily harm, robbery, break and enter, and possession of a dangerous weapon. One was sentenced to 3 years, and the other to two years in prison.

Award: \$1,424.50. (pain and suffering \$750.00)

200-3013 The victim is a 16 year old student and the application was brought by his mother. The victim was knocked to the ground and then kicked in the face by another young male. He sustained a fractured nose from the assault. The offender was convicted of assault causing bodily harm and committed to a training school for an indefinite period.

Award: \$1,409.24 (pain and suffering \$1,000.00)

200-3017 The applicant, aged 26, went to a hotel to watch T.V. He was challenged to an arm wrestle in the parking lot where he was accused of cheating. The offender followed him back into the hotel and lunged at him with a knife. The applicant sustained a deep cut to his hand leaving him with a weakened grip, a permanent scar, and some nerve damage. The offender was convicted of assault causing bodily harm and sentenced to nine months indefinite and six months indeterminate.

Award: \$1,482.39 (pain and suffering \$1,200.00)

200-3023 The applicant, aged 20, was working as a gas bar attendant when he was the victim of a savage beating. He was unconscious for approximately two months and sustained fractures to the skull, neck lacerations which resulted in spastic quadriplegia and impaired mental functions. The offender was convicted of wounding and sentenced to five years.

Award: \$8,835.00 and \$500.00 per month (pain and suffering \$7,500.00)

200-3029 The applicant, a 21 year old electronics student, borrowed the offender's car allegedly with his consent. When he returned, he was hit in the face and rendered unconscious. When he came to, the offender was waiting and again knocked him unconscious. The applicant sustained bruising under both eyes, his left cheek was flattened and there was haemorrhaging in his left eye. A warrant is still outstanding for the offender.

Award: \$1,167.60 (pain and suffering \$500.00)

200-3038 The applicant, aged 30, was walking along the street when she was attacked by a neighbour. She was punched and knocked to the ground which displaced a plastic pin in her shoulder. Charges were laid, but were dismissed.

Award: \$400.00 (pain and suffering \$400.00)

200-3041 The victim, a 30 year old factory worker, was shot to death by her common-law husband. The application was brought by her mother on behalf of the victim's three children. The offender was convicted of manslaughter and on appeal sentenced to eight years.

Award: \$3,495.84 and \$190.00 per month

200-3043 The applicant, a 27 year old civil servant, was at a hotel with his friends. One of his friends made a comment to a man walking past their table. The man turned and struck the applicant in the face with a beer bottle. He sustained a broken nose, lacerations to his face and five broken teeth. The offender was convicted of assault causing bodily harm and sentenced to 60 days in jail.

Award: \$1,086.12 (pain and suffering \$500.00)

200-3058 The applicant, a 32 year old waiter, was in a hotel drinking beer when a group of young people started insulting him. When he tried to leave, two men pushed him out the door and punched him twice in the face. He received a deep two inch laceration under his right eye. The offenders are unknown.

Award: \$1,025.00 (pain and suffering \$700.00)

200-3061 The applicant, a 27 year old police officer, was escorting the offender into his cell when he became violent. He kicked the officer in the right knee. An operation leaving a five inch scar was required and the knee was very painful for quite a few months. The offender was convicted of assaulting a police officer and sentenced to 45 days in jail or \$450.00 fine.

Award: \$6,415.00 (pain and suffering \$6,000.00)

200-3065 The applicant, a 24 year old housewife, was in her apartment when she heard an argument in the hall. Her door was forced open and a man grabbed her by the hair and threatened her with a knife. Before her fiance could pull him away, the alleged offender kicked her twice. She sustained a minor laceration and bruising of the chin and two right ribs were bruised. Charges were withdrawn since she did not appear.
Award: \$500.00 (pain and suffering \$500.00)

200-3073 The applicant, a 22 year old assembly line worker, was the victim of a racially motivated attack. The victim was struck across the face with a hockey stick as he was walking along a street. He sustained a fracture of the nose, a fracture of the cheek bone and two broken teeth. The offender was convicted of assault causing bodily harm and sentenced to two and one half months in jail.
Award: \$2,569.00 (pain and suffering \$1,500.00)

200-3076 The applicant, a 57 year old maintenance man, was walking from the Toronto Bus terminal when he was pulled into an alley, viciously assaulted and robbed. He received bruises to his face, forehead, jaw and nose and a through and through laceration to the upper lip, requiring seven sutures. No offender has been apprehended.
Award: \$858.40 (pain and suffering \$400.00)

200-3084 The applicant, a 32 year old forest fire fighter, was seated in a restaurant when a man threatened to throw him through the window. In defending himself, he sustained a fracture of the nasal bone. The offender was convicted of assault causing bodily harm and sentenced to 90 days in jail.
Award: \$1,798.00 (pain and suffering \$800.00)

200-3088 The applicant, a 22 year old apprentice plumber, went to a party with a friend. An argument developed between two friends and the applicant tried to act as a peace-maker. The two who were arguing, knocked him to the floor and started kicking him. He sustained a fracture to the floor of the left orbit. No charges were ever laid due to witnesses not wishing to get involved.
Award: \$1,997.50 (pain and suffering \$1,500.00)

200-3095 The applicant, a 30 year old mechanic, was assaulted in the parking lot, when he went outside his apartment building to ask two men to be quiet. He suffered a bruised right eye, secondary corneal abrasions and some dental damage. The offender was convicted of assault causing bodily harm and received six months imprisonment, plus two years probation.
Award: \$605.77 (pain and suffering \$500.00)

200-3098 The applicant, a 47 year old housewife, was assaulted at her residence by the same two offenders who had assaulted her husband on the same evening and robbed him of the apartment keys. She received a serious fracture to her left arm and also had bruising about the head,

face and ribs. The offenders were convicted of robbery and break and enter. One was given two years and three years respectively for the offences and the other was given three years and one year.

Award: \$2,000.00 (pain and suffering \$1,850.00)

200-3104 The applicant, a 25 year old police constable, was attempting to arrest two males, when two females started to interfere. They kicked the officer in the left knee which creates pain and discomfort on occasion and he is forced to wear an elastic bandage and apply heat. The offender was charged with obstructing police and a bench warrant is outstanding.

Award: \$544.60 (pain and suffering \$500.00)

200-3109 The applicant, a 34 year old Master Corporal, in the Canadian Army was acting as a security officer for an Oktoberfest celebration. As he was ejecting a trouble maker from the room, his arm was severely lacerated. He received two cuts, each approximately four inches long and eight of the ten extension tendons and muscles in the back of the forearm were severed. A great deal of physiotherapy was required and he is left with only 75 degrees of normal motion in the left hand. Strength and sensation in the left arm and hand are reduced ten to twelve percent. No offender has been charged.

Award: \$2,503.52 (pain and suffering \$2,000.00)

200-3120 The applicant, age 37, was invited to a neighbour's apartment. An argument started while he was there and he went to the landlord to complain about the two men who just moved in. When he returned to his own apartment the two men were waiting for him. They kicked him several times which resulted in multiple abrasions to both arms, back, scalp and face. Both eyes were also bruised. Only one offender was convicted of assault causing bodily harm and one received a suspended sentence and six months probation.

Award: \$660.00 (pain and suffering \$500.00)

200-3129 The applicant, a 38 year old accountant, received a kicking and general beating on his driveway. He received bruises to his head and ribs and needed three stitches above his right eye. Both offenders were convicted of assault causing bodily harm. One received a suspended sentence plus twelve months probation and the other received 42 days imprisonment plus 18 months probation.

Award: \$479.00 (pain and suffering \$450.00)

200-3134 The applicant, a 24 year old secretary, was assaulted by four unknown males as she stood talking to a friend in a parking lot. She sustained lacerations to her right eye and behind her ear, requiring eight sutures. She also suffered a black eye and a fractured middle finger. No charges were laid and the Board invoked Section 17(1) (a) of the Act.

Award: \$716.68 (pain and suffering \$300.00)

200-3137 The applicant, age 20, was visiting with his girlfriend at her apartment when an ex-boyfriend arrived and immediately started to assault him. He received a swollen and discoloured left eye, a laceration over the upper lid and a large hematoma under the lower lid. There is some distortion in vision due to scarring. The offender was convicted of assault causing bodily harm and sentenced ten days in jail or \$200.00. Award: \$2,143.30 (pain and suffering \$1,500.00)

200-3144 The applicant, a 30 year old bookkeeper, went to the parking lot to warm up her car. A male asked her for a ride, which she and her friend agreed to. He directed them to a lonely area and threatened both of them with injury and death. In her attempt to escape, the car's right wheel rolled backwards over her left ankle and severed a ligament. Her ankle is painful and on damp days is slightly weaker. The offender was convicted of assault causing bodily harm and kidnapping and sentenced to five years for each to be served concurrently. Award: \$2,345.80 (pain and suffering \$2,000.00)

200-3146 The applicant, a 34 year old roofer, was the victim of an unprovoked shooting by a boarder in his home. He suffered a shotgun wound through the right hip with a sixteen inch exit wound. The majority of the gluteus maximus muscle was lost and he also went through severe emotional trauma. The offender was convicted of attempted murder and sentenced to fifteen years in prison. Award: \$6,514.88 (pain and suffering \$4,000.00)

200-3153 The victim, a 16 year old student, was bumped by the offender and after some words were exchanged, the offender threw him to the ground and struck him in the face twice with his knee. He sustained a black eye, swollen left side of the face and loosened upper teeth. The offender was found guilty of assault causing bodily harm and received a suspended sentence plus two years probation. Award: \$509.00 (pain and suffering \$500.00)

200-3155 The applicant, a 52 year old policeman, was called to a residence where a youth had been assaulting his family. The applicant was bitten on the thigh while subduing the offender. He received various shots as a result of the bite and the area was very sore. The offender was convicted on two counts of assaulting a policeman and sentenced \$75.00 or six days on each. Award: \$635.00 (pain and suffering \$400.00)

200-3168 The victim, age 14, was visiting at a residence when a firearm two youths were handling discharged, resulting in the death of the boy. The application is made by the victim's grandfather. The offender was convicted of criminal negligence causing death and sentenced to 90 days plus three years probation. The other was a juvenile and charges were adjourned sine die. Award: \$1,097.60

200-3170 The applicant, a 71 year old farmer, was confronted by two men at his door who asked to use his phone. When he said he did not own a telephone, one of the men punched and kicked him and the other hit him on the head with a bottle. He sustained extensive lacerations of the scalp and face, a fractured rib and was treated for shock and concussion. The alleged offenders were not convicted due to insufficient identification.

Award: \$1990.00 (pain and suffering \$1,250.00)

200-3173 The applicant, a 54 year old steel worker, was walking along a street, when a youth tried to grab her purse. He pulled her to the ground where she injured her knee and her nose. The offender is still unknown.

Award: \$457.84 (pain and suffering \$300.00)

200-3185 The applicant, a 46 year old glass cutter, was walking to his mother's when a man who was about to pass him stabbed him in the neck. Twenty-one stitches were required to close the wound. The offender was convicted of wounding and sentenced to 12 months definite plus six months indeterminate.

Award: \$555.50 (pain and suffering \$500.00)

200-3189 The applicant, aged 23, was walking with a friend towards his car when they were assaulted by several men, due to a mistake in identity. The applicant suffered numerous laceration and bruising. The offender was convicted of assault causing bodily harm and sentenced to eight months definite and twelve months indeterminate.

Award: \$1,068.68 (pain and suffering \$800.00)

200-3207 The applicant, age 31, was on duty as an engineer in a hotel when he was directed to investigate a fire alarm on one of the upper floors. He was overcome by smoke and suffered acute smoke inhalation, carbon monoxide poisoning and burns about the forehead, hands and left eye. The offender who deliberately set the fire is unknown.

Award: \$3,000.00 (pain and suffering \$3,000.00)

200-3212 The applicant, age 36, went into a hotel to look for a certain person. While there, another friend invited him to his table. An argument arose which resulted in the friend's girlfriend breaking a glass in the applicant's face. He required 40 stitches to close the wound. The offender pleaded guilty to assault causing bodily harm and received a suspended sentence and was placed on probation for one year. There was no doubt as to the cause of the attack and the Board invoked Section 17(1) of the Act.

Award: \$700.00 (pain and suffering \$500.00)

200-3214 The applicant, a 23 year old mechanic's helper, was walking to work, when he was assaulted by three males. He sustained a fractured nose, dislocated jaw, multiple bruises of the face and black eyes. Only one offender was known and found guilty of assault causing bodily

harm. He was sentenced to nine months in jail.
Award: \$910.12 (pain and suffering \$800.00)

200-3217 The applicant, a 67 year old proof-reader, was standing in a shopping mall when a man ran over and picked up the applicant's groceries. As he held on to the bag, he was punched in the face and as a result sustained a strained back muscle which caused him considerable pain and suffering. The offender was convicted of being drunk in a public place and sentenced to ten days or ten dollars.
Award: \$850.00 (pain and suffering \$850.00)

200-3227 The applicant, aged 52, was about to enter his apartment when he was violently attacked by an unknown male. He was thrown down a flight of stairs and then kicked about the face and upper body. Being a survivor of a concentration camp, this assault opened up old psychological wounds and the post-traumatic neurosis which developed following this attack undermined the strong feeling of security the applicant had acquired over the years. No offender has been apprehended.
Award: \$9,171.65 (pain and suffering \$7,500.00)

200-3232 The applicant, a 30 year old housewife, was assaulted when she went to the aid of her husband who was being attacked by two men in a parking lot. She sustained a loose tooth as a result of the attack. The offender was convicted of assault causing bodily harm and sentenced to 6 months.
Award: \$325.00 (pain and suffering \$300.00)

200-3240 The applicant, a 41 year old truck driver, was at home with his wife, when a male entered their premises and demanded clothing, because he was cold. The applicant tried to leave the room but was struck in the face. He suffered a fracture of the left cheek-bone, left maxilla bone and abrasions of the mouth. No charges were laid against the offender but he was readmitted to a psychiatric hospital.
Award: \$1,370.56 (pain and suffering \$1,000.00)

200-3243 The applicant, a 69 year old housewife, was walking along a street when she was assaulted by two male juveniles who stole her handbag. She received two black eyes, multiple abrasions and bruises of the face, knees and right hand. The two offenders were charged with assault causing bodily harm.
Award: \$750.00 (pain and suffering \$750.00)

200-3247 The applicant, age 43, was alone in her business establishment when two males who had pretended to be customers, attacked her. She was stabbed on the left upper arm, the left and right thighs and after this, they trampled on her hands. The offenders are unknown.
Award: \$3,070.74 (pain and suffering \$2,500.00)

200-3251 The applicant, a 49 year old cashier, was on duty at her wicket, when a man attempted to grab some bills from her till. When she resisted, he smashed her hand against a metal wall and fled. She sustained a spiral fracture of the left ring finger that required 80 therapy treatments and she will still be left with a permanent disability. The offender was convicted of robbery and was sentenced to 90 days in jail. Award: \$2,078.00 (pain and suffering \$1,700.00)

200-3254 The applicant, 52 years of age, was operating a Toronto Transit bus, when eight youths became disorderly and had to be ejected from the bus. While doing so, one of the youths hit the applicant in the mouth. He sustained a broken front upper tooth and was restricted to a fluid diet for one week. The offender was convicted of common assault and given a suspended sentence. Award: \$400.00 (pain and suffering \$400.00)

200-3259 The applicant, age 34, was returning to her apartment from a local laundromat, when she was attacked by a man under the influence of drugs. He beat her about the face and bit her right fist. She sustained multiple bruises to her face and required 10 stitches to close the bite wound. The offender was convicted of common assault and sentenced to a fine of \$200.00 or 20 days. Award: \$3,147.00 (pain and suffering \$2,250.00)

200-3261 The applicant, age 19, was driving his car and decided to pass the automobile in front of him, which was weaving back and forth. This automobile, in turn, passed the applicant and then blocked the road. The driver and three occupants got out of their car and assaulted the applicant. He received black eyes, facial abrasions and his two upper front teeth were broken. The offenders remain unknown. Award: \$1,048.12 (pain and suffering \$450.00)

200-3265 The victim, 12 years of age, was playing with some friends on a church wall. The offender came up and told him to get off but before he could jump down he was hit across the back. He received a welt across his back approximately eight inches long. The offender was charged with assault causing bodily harm but is out of the country. Award: \$125.00 (pain and suffering \$125.00)

200-3270 The applicant, age 63, was at a hotel when he was violently assaulted without provocation. He suffered a fracture of his maxilla and nose. The offender was convicted of common assault and sentenced to four months in jail. Award: \$2,380.00 (pain and suffering \$2,000.00)

200-3273 The applicant, a 30 year old police officer, was attempting to arrest an impaired driver when he was knocked to the ground and struck in the head, neck and back. He sustained a mild concussion and suffers from headaches, dizziness and discomfort in both arms and the back of the neck. The offender was found guilty of assault with intent to resist arrest and sentenced to 14 days in jail. Award: \$1,800.00 (pain and suffering \$1,800.00)

200-3277 The applicant, a 22 year old apprentice pipefitter, was at a festival where he was assaulted about the head and body. The applicant suffered a fracture of the left humeral shaft and sustained some nerve damage. The offender was convicted of assault causing bodily harm and placed on probation for one year.

Award: \$3,985.70 (pain and suffering \$2,000.00)

200-3289 The applicant, a 26 year old accounting clerk, was riding on a public transit bus when an argument broke out between a passenger and the driver. She tried to assist the driver and argued with the passenger, who eventually punched her in the chest causing severe tenderness in her breast and mild mammary dysplasia. The offender was convicted of common assault and given a conditional discharge with probation for one year.

Award: \$771.07 (pain and suffering \$600.00)

200-3292 The applicant, a 75 year old sales lady, was on her way to work when she was approached by a man who appeared intoxicated. He asked her to call the police and when she pointed the phone out to him, he became angry and grabbed her around the neck in an attempt to choke her. She sustained multiple bruises and contusions to the neck and upper back and still suffers discomfort in the back. The offender was convicted of common assault and fined \$200.00 or 30 days.

Award: \$1,328.00 (pain and suffering \$1,000.00)

200-3296 The victim, a 22 year old truck driver, died as a result of a fight with a man outside a hotel. The victim and another man were arguing, when the offender intervened. A fight developed between these two that resulted in the victim's death by a blow to the head. His widow applied on her behalf and that of her daughter. They were completely dependent on him. The offender was convicted of manslaughter and sentenced to 30 days and placed on probation for 6 months.

Award: \$7,326.00 and \$436.00 per month.

200-3303 The applicant, a 16 year old student, was playing hockey in an arena, when he was kicked deliberately by another youth. The toe of the offender's skate struck the applicant in the abdomen. He received intramural hemtoma of the duodenum causing an obstruction of the outflow of food from the stomach. The juvenile offender was found guilty and placed on probation for two years.

Award: \$1,200.00 (pain and suffering \$1,000.00)

200-3311 The applicant, a 44 year old farm hand, was awakened by two men threatening him. When he tried to eject them he was assaulted. He received a fractured cheekbone and a fractured nose. One offender was convicted of assault causing bodily harm and sentenced to six months in jail.

Award: \$2,773.65 (pain and suffering \$1,750.00)

200-3314 The applicant, a 22 year old police constable, responded to an alarm at a drug store. In his attempt to apprehend the offender, he fell on broken glass and sustained a serious laceration to the right thumb muscle. The offender was convicted of break and enter and theft under \$200.00. He received a suspended sentence and was placed on probation for two years.

Award: \$300.00 (pain and suffering \$300.00)

200-3323 The applicant, a 58 year old correctional officer, went to the aid of another officer. when he was struck on the head by an inmate. He suffered soreness at the base of the neck and also was troubled with insomnia. The offender is deceased.

Award: \$1,267.73 (pain and suffering \$1,000.00)

200-3328 The applicant, 75 years old and semi-retired, was working part-time at a jewellery store, when the store was robbed by three men who viciously assaulted by the applicant. They struck him across the head, shoulders and arms with a board. He suffered a concussion and has been left with a ringing in his ear and a permanent hearing loss. Continuing nervousness and lack of confidence are also problems. The three offenders were convicted of robbery with violence and sentenced to 5 years, 21 months, and 2 years less one day respectively.

Award: \$4,668.00 (pain and suffering \$3,500.00)

200-3333 The applicant, aged 25, was attacked by a gang of six youths while walking along a street in Ottawa. He suffered a broken nose and other minor injuries. Three of the youths were charged with assault causing bodily harm. Charges against two were withdrawn and the third pleaded guilty and was sentenced to 14 days.

Award: \$452.00 (pain and suffering \$400.00)

200-3337 The applicant, a 30 year old security guard, was riding on a streetcar, when his transfer fell in another passenger's shoe. He politely asked if he could get the transfer and the man responded by striking the applicant several times. The applicant sustained a deviated nasal septum and a lacerated upper lip. He also required dental treatment. The offender was convicted of assault causing bodily harm and was sentenced to five months in jail.

Award: \$1,690.04 (pain and suffering \$800.00)

200-3346 The applicant, a 53 year old psychiatrist, was attacked by one of his patients while in his office. He received stab wounds in the back, the chest, the shoulder and on his hand. The offender was charged with attempted murder and found not guilty by reason of insanity.

Award: \$3,333.60 (pain and suffering \$2,000.00)

200-3348 The applicant, a 48 year old waiter, asked a noisy male patron to leave the premises. The patron struck him in the face with a glass. Forty sutures were required around the left eye, four sutures over

the right and ten sutures to the right arm. The right arm is numb and he has had a loss of grip. The offender was convicted of assault causing bodily harm and was sentenced to 90 days in jail.

Award: \$5,052.00 (pain and suffering \$4,500.00)

200-3354 The applicant, a 54 year old bricklayer, was working outside a house, when he was assaulted by four young males. He received a fractured nose as well as a laceration on the nose and epistaxis. No offender has been apprehended.

Award: \$221.65 (pain and suffering \$150.00)

200-3361 The applicant, aged 19 and unemployed, was at a Penny Arcade, when he went outside to fight. He returned inside and the offender again harrassed him to come outside and fight. This time, however, the offender pulled out a pen knife and stabbed the applicant in the right knee and the back. He suffered soreness and stiffness in the knee and sharp pains in his back. The offender was convicted of assault causing bodily harm and sentenced to 15 days in jail. The board invoked Section 17(1) of the Act and reduced the award.

Award: \$687.00 (pain and suffering \$500.00)

200-3373 The applicant, a 40 year old apartment superintendent, was attacked by one of his tenants, with whom he had had previous arguments. He was struck on the right side of the forehead and on the left hip with an axe. He was admitted to the hospital to have the lacerations sutured. The alleged offender was acquitted on charges of wounding and possession of a dangerous weapon.

Award: \$1,085.00 (pain and suffering \$900.00)

200-3375 The applicant, a 41 year old police constable, was injured as he was attempting to take a youth into custody. He sustained a fracture and dislocation of the left middle finger. He still suffers some discomfort and a slight loss of grip. The offender was convicted of assaulting a police officer and was sentenced to 3 days in jail plus \$150.00 fine or 15 days in jail.

Award: \$768.00 (pain and suffering \$750.00)

200-3378 The applicant, aged 70, had retired to bed when he was awakened by footsteps outside his farmhouse. A male asked for assistance for his sick friend and when the applicant opened the door, he was assaulted by three men. He received injuries to his face, eyes, rib cage and scrotum. He developed pneumonia and pleurisy as well as being treated for damage to his kidneys and weakness in the legs. He also lost a certain amount of hearing as a result of the beating. All three offenders were sentenced to five years imprisonment for robbery with violence.

Award: \$3,572.00 (pain and suffering \$3,000.00)

200-3384 The applicant, a 28 year old university student, was walking along a street, when four youths in a car shouted insulting remarks at him and then proceeded to strike him with their fists and feet. The

applicant sustained a swollen nose and two black eyes. He later developed a post-traumatic massive septal abscess. The offenders are still unknown.

Award: \$1,617.16 (pain and suffering \$1,300.00)

200-3388 The applicant, a 25 year old surveyor, was in a tavern where he had been previously employed, when eight masked men carrying baseball bats, entered and started breaking up the bar. The applicant was hit on the forehead a number of times with a bat. He received two cuts to the head, requiring 14 stitches. No charges were laid since none of the offenders were apprehended.

Award: \$775.19 (pain and suffering \$500.00)

200-3392 The applicant, 21 years of age, was walking with his wife along the street when three men started to call out obscene words to them. When he asked them to stop, he was assaulted. His jaw was fractured and had to be wired for five weeks. He still has a small bump on the right of the mandible. The offenders have never been apprehended.

Award: \$1,000.00 (pain and suffering \$1,000.00)

200-3395 The applicant, aged 63, was attacked from behind, outside his own front door. He was struck on the face and head before he was robbed. The applicant sustained minor lacerations to the face and forehead and needed eight stitches to close them. The offenders remain unknown.

Award: \$265.00 (pain and suffering \$200.00)

200-3399 The applicant, a 26 year old clerk-typist, while in her apartment, responded to a female voice who identified herself as a policewoman. The applicant opened the door and the woman threw a glass of household bleach at her and began to attack her with a meat cleaver. She suffered only a small laceration of the middle finger of her left hand, which required 5 sutures. No charges were laid against the alleged offender as she was found to be mentally ill.

Award: \$250.00 (pain and suffering \$250.00)

200-3402 The applicant, a 22 year old student, was at a friend's house, when an argument developed. He decided to leave and as he was walking to his car, the offender attacked him from behind with a beer bottle. He sustained two fractured ribs, a laceration of the neck, which required eight sutures and bruises to the lower back area. The offender was convicted of assault causing bodily harm and sentenced to a \$200.00 fine or seven days.

Award: \$911.00 (pain and suffering \$750.00)

200-3405 The applicant, 48 years old, was assaulted at his place of work by an intoxicated male. He received extensive soft tissue damage to the right knee and will need surgery in the future. No charge has been proceeded on due to a technicality.

Award: \$1,428.00 (pain and suffering \$1,250.00)

200-3412 The applicant, aged 26, was working in a detention home, when he was asked to remove two juvenile girls from an area where they were causing a disturbance. The two girls struggled and kicked the applicant, shoving him to the floor. He fractured his right thumb as a result of the fall. No charges were laid.

Award: \$750.00 (pain and suffering \$550.00)

200-3421 The applicant, a 32 year old secretary, was walking home from the bus, when she was seized from behind and thrown to the ground on her face. The alleged offender took her purse and ran. She suffered a whiplash injury to the spine, shock and anxiety. No offender has been apprehended.

Award: \$1,997.60 (pain and suffering \$1,600.00)

200-3435 The applicant, an 18 year old student, drove into the parking lot of a restaurant, when an unknown male opened his door and struck him in the face several times. The offender claimed he had been cut off on the highway by the applicant. The applicant sustained bruises to his face, eyes and a right front tooth was loosened. The alleged offender died before trial.

Award: \$450.00 (pain and suffering \$450.00)

200-3444 The applicant, a 48 year old field worker, was attending a convention and while she was walking along a street, an unknown assailant tried to take her purse. He hit her twice on the shoulder and knocked her down. She sustained severe abrasions to her knees, a frozen right shoulder, an elbow that needs physiotherapy and continuing numbness in the right hand. No offender has been apprehended.

Award: \$2,086.25 (pain and suffering \$1,750.00)

200-3448 The applicant, a 19 year old student, was walking home from the restaurant where he worked, when three youths started assaulting him. He received multiple bruises to his body and a laceration of the upper lip, which required 14 sutures. All three juvenile offenders were charged with assault causing bodily harm.

Award: \$1,072.80 (pain and suffering \$900.00)

200-3463 The applicant, aged 19, was walking along a street with his girl friend when a car carrying three men passed by them and returned, at which time one of the men left the car. He said they had thrown a cigarette in his car and then punched the applicant in his face. He sustained a broken nose, a black eye, swelling and intense pain. The charge of assault causing bodily harm was dismissed due to lack of evidence.

Award: \$808.74 (pain and suffering \$500.00)

200-3471 The applicant, a 35 year old lawyer, was the victim of an unprovoked attack as he left his club. He received bruises and swollen eyes, numerous abrasions and a laceration to the right cheek requiring four sutures and leaving a permanent scar. There was also one tooth

broken off and a second tooth chipped. No offenders have been apprehended.

Award: \$1,608.00 (pain and suffering \$600.00)

200-3479 The applicant, a 29 year old police officer, was chasing two male suspects when he slipped and fell against a three foot retaining wall. He suffered bruised ribs and considerable pain as a result of the fall. The offenders escaped.

Award: \$300.00 (pain and suffering \$300.00)

200-3481 The applicant, a 43 year old apartment superintendent, reprimanded a young boy who was hitting the washing machines with a broken stick. The mother of the boy expressed her displeasure at this and then struck the applicant around the neck and face. She also bit her on the right chest area. The applicant suffered an acute hyperextension flexion injury to her neck. The offender pleaded guilty to a charge of common assault and was given a conditional discharge and placed on probation for one year.

Award: \$1,768.49 (pain and suffering \$1,500.00)

200-3488 The victim, a 17 year old student, was working in a restaurant when a man entered in an intoxicated condition to order some milk. He complained that it was warm and then forced the victim down the stairs and broke his arm by twisting it. The offender was convicted of common assault and sentenced to one day in jail.

Award: \$1,015.50 (pain and suffering \$800.00)

200-3499 This application was brought by the mother of the victim who was murdered at her home and the claim is for disbursements and funeral expenses. The offender was convicted of murder and sentenced to life imprisonment.

Award: \$1,078.00

200-3505 The applicant, aged 42, saw youths breaking bottles and attempting to break into parked cars. When he asked them to stop, they beat him into unconsciousness. He received a swollen face, severe bruising of both eyes, severe bruising of the left ear lobe and ribs, and a damaged right little finger. He is left with a permanent disability in the movement of the finger. Both offenders were convicted of assault causing bodily harm and one was sentenced to 3 months and the other to 30 days in prison plus one year probation.

Award: \$2,115.00 (pain and suffering \$1,750.00)

200-3507 The applicant, an unemployed 55 year old man, was walking home when he was attacked and robbed by three men. He sustained bruised ribs and lacerations of the left eyelid and mouth requiring five sutures. The offenders were not apprehended.

Award: \$450.00 (pain and suffering \$450.00)

200-3513 The applicant, a 33 year old residential counsellor, was awakened in her bed by a man bending over her. When she screamed, he stabbed her and was able to run away. She suffered from a stab wound in the right hip which required seven stitches and a puncture wound of the right breast that became infected. She now is nervous when on her own at home and needs medication to sleep. The offender remains unknown. Award: \$1,695.00 (pain and suffering \$1,000.00)

200-3519 The applicant, a 42 year old taxi driver, got into an argument about the ownership of a T.V. with another driver. They fought about it and then discussed it over a bottle of liquor. Later an argument arose again, that resulted in the applicant being shot in the head. He sustained a fracture of the skull over the left ear and permanent deafness in the left ear. He also suffers from a loss of balance and permanent brain damage resulting in a loss of ability to present orderly words in sequence, both verbally and in writing. The offender was convicted of attempted murder and sentenced to 20 months in jail plus 2 years probation. The Board invoked Section 17(1) and made a reduced award. Award: \$10,793.29 (pain and suffering \$10,000.00)

200-3525 The applicant, 58 years of age, was walking with her husband to their hotel when two men grabbed her purse, knocked her to the pavement and kicked her in the chest. She received facial injuries and contusions on the upper abdomen and left chest. She also received bruises to her left knee, shoulder and elbow. The offenders were convicted of robbery with violence and sentenced to two years less one day. Award: \$350.00 (pain and suffering \$350.00)

200-3556 The applicant, aged 44, was being blackmailed to pay money or he would be injured. When he did not pay, two men attacked him from behind. He sustained a broken nose, a broken toe, lacerations to the scalp requiring seven stitches, cuts on the nose and facial area and damage to two front teeth. One offender was apprehended and convicted of assault causing bodily harm for which he was sentenced to twelve months in jail. Award: \$2,780.97 (pain and suffering \$1,500.00)

200-3560 The applicant, a 23 year old police constable, was responding to a domestic problem between a man and his wife. When he tried to arrest the male for an outstanding warrant against him, the offender punched him in the face. His upper and lower lips were lacerated and required stitches and he also received a minor whiplash. The offender was convicted of assaulting a police officer and sentenced to two years probation. Award: \$350.00 (pain and suffering \$350.00)

200-3567 The applicant, aged 21, was drinking in a hotel when he was struck on the side of the face with a beer bottle, and then struck several

times again after he fell to the ground. He received multiple lacerations to the face and chest with a disfiguring scar on the jaw 2 cm. long and 2 1/2 cm. wide. The offender was convicted of assault causing bodily harm and sentenced to 60 days in jail.

Award: \$2,050.00 (pain and suffering \$2,000.00)

200-3575 The applicant, aged 31, was trying to stop some youths from shouting profanities at her husband. While she was talking to them, her husband shot a youth approaching him. At this moment, another youth grabbed the applicant's arm and broke it. The injury resulted in quite a severe deformity of the wrist joint. The offender was convicted of assault causing bodily harm and sentenced to 30 days imprisonment.

Award: \$1,281.80 (pain and suffering \$750.00)

200-3586 The applicant, a 28 year old police officer, tried to stop a disturbance created by a group of youths. As he was taking one youth into custody, he began to meet some resistance and then all the youths started to kick him in the head, face, shoulders, and back. The offenders were convicted of wounding with intent. Two were sentenced to 6 months and the other to 30 days.

Award: \$864.00 (pain and suffering \$850.00)

200-3591 The applicant, a 21 year old waitress, went to phone the police when two men started fighting. As she passed them, her left hand was severely cut by a broken beer bottle flung in her direction. She received a total of 13 stitches and still has slight problems with her little finger. The applicant was convicted of assault causing bodily harm and sentenced to three months in jail plus 3 years probation.

Award: \$1,560.73 (pain and suffering \$1,300.00)

200-3605 The applicant, a 26 year old cabinet maker, went out to his car where he noticed one person sitting in it and two others beside it. When he started to talk to them, they punched him in the head and face. He received a fractured cheek-bone and numbness to the right side of his lip for approximately one year. The offenders are unknown.

Award: \$2,350.62 (pain and suffering \$1,500.00)

200-3609 The applicant, aged 42, was stabbed with a hunting knife in the chest and in the side, by his nephew, when he refused to take him to North Bay. He sustained two small scars on his body but was disabled for six weeks. The offender was sentenced to 18 months definite and 12 months indeterminate.

Award: \$2,190.70 (pain and suffering \$1,400.00)

200-3617 The applicant, a 56 year old service manager, was driving his car and slowed down to let the car behind him pass. When the car did not pass, he continued on and then pulled into a parking lot. The other car followed him and when he got out of his car, the driver assaulted him. The applicant sustained black eyes, a swollen nose and lacerations above the right brow and under the left eye, which required six sutures. The offender remains unknown.

Award: \$873.03 (pain and suffering \$850.00)

200-3632 The applicant, a 27 year old mail dispatcher, was acting as an umpire in a men's fastball league when he had a dispute with the catcher and was knocked to the ground. He sustained a broken cheekbone in two places, and injury to his left eye. Blurring vision continues to be a difficulty and he also suffers from near vision in the dark. The offender was convicted of assault causing bodily harm and sentenced to 30 days in jail.

Award: \$2,211.55 (pain and suffering \$1,800.00)

200-3642 The applicant, aged 26, was assisting a police constable to arrest a person. While in the station, the prisoner jumped out of a window and the applicant tried to do the same in an effort to recapture him. He sustained a fracture of the right ankle and heel. The offender was convicted of theft and escape from custody and given a suspended sentence with two years probation.

Award: \$1,000.00 (Pain and Suffering: \$1,000.00)

200-3647 The applicant, aged 25, was employed as a guard in a juvenile correctional institution and while attempting to calm down an inmate, was attacked and kicked. This aggravated a previous knee injury that resulted in the left knee cap being removed.

Award: \$777.20 (Pain and Suffering: \$750.00)

200-3657 The applicant, aged 42, was walking along the street when he was jostled and then attacked by two or three men. He sustained numerous bruises of the right lower arm or wrist. The offenders are unknown.

Award: \$814.70 (Pain and Suffering \$600.00)

200-3672 The applicant, a 28 year old police constable, was struck in the face twice as he was attempting to handcuff a male he had arrested. He received two lacerations in the area of the upper lip which required five sutures. The offender was convicted of assaulting a peace officer and received two years probation.

Award: \$200.00 (pain and suffering \$200.00)

200-3685 The applicant, a 30 year old police constable, was called to help remove a man from a parked bus. During the struggle, he was severely bitten three times. He sustained a 1 inch diameter hole in the chin, a bite on the ring finger and a 6 inch diameter bite to the left inner forearm. The offender was convicted of wounding and also assaulting a police officer. He was sentenced to two years less one day on the first charge and one year consecutive on the second.

Award: \$2,200.00 (pain and suffering \$700.00)

200-3711 The applicant, aged 35, was at a company dance with his wife and while leaving with his wife at midnight, he was attacked. He was

operated on for a presumed fracture of the nose, but it was only bruised. The offender was convicted of assault causing bodily harm and fined \$200.00

Award: \$437.27 (pain and suffering \$300.00)

200-3753 The applicant, aged 70, was driving his taxi when he was flagged down by a male. The offender punched him in the right eye as he was getting behind his wheel and tried to pull his jacket off. He suffered severe bruising around the right eye with abrasions on the lower eyelid and a haemorrhage of the eye itself. He also suffered tenderness in the left hip and right neck, as a result of the scuffle over the jacket. The offender pleaded guilty to common assault and was fined \$100.00 or 10 days.

Award: \$2,113.60 (pain and suffering \$1,000.00)

200-3765 The applicant, a 30 year old nurse, went to ask a fellow tenant in the rooming house to stop making noise, since it was 2:00 a.m. When she complained again, he poured boiling water over her face, dragged her by the hair, knocked her into furniture and assaulted her with his fists. She received sutures to close lacerations to her head and face and her neck continues to give her some soreness. The offender was convicted of assault causing bodily harm and sentenced to 10 days and \$100.00 fine or 20 days.

Award: \$2,764.42 (pain and suffering \$1,750.00)

200-3774 The applicant, a 29 year old police officer, was assaulted in the course of his duty. He received five stitches to the area just below and lateral to his right eye. The offender was convicted of assault causing bodily harm and received a 45 day jail term.

Award: \$1,083.00 (pain and suffering \$750.00)

200-3794 The applicant, a 26 year old millwright, was in a tavern with his wife, brother and sister-in-law. A man started using abusive language towards them, so they left the premises. The man followed them outside and struck the applicant with a broken beer bottle, causing lacerations to his face and hand. Sutures were needed to close the C-shaped cut on his face and he will be left with a scar. The cut on the left hand left him with a slight web between the fourth and fifth fingers. The offender was convicted of assault causing bodily harm and fined \$200.00 or 20 days.

Award: \$1,453.02 (pain and suffering \$850.00)

200-3810 The applicant, aged 41, was driving when he had to swerve to avoid two male jaywalkers. When he stopped at a traffic signal, one of them approached the driver's side and struck the applicant with his fists and with a piece of asphalt on the nose. The applicant sustained a grossly comminuted fracture of the nasal bones, a fracture of the right infra-orbital margin and a corneal abrasion of the right eye. The scar on the nose is still plainly visible. The offender was convicted of assault causing bodily harm and sentenced to one month in jail.

Award: \$2,612.000 (pain and suffering \$1,500.00)

200-3833 The applicant, a 25 year old machinist, chased three men who stole a Christmas ornament from a friend's house, but was assaulted by them when he eventually caught up. He suffered a fractured cheekbone, some displaced teeth and swelling of the face, eyes and scalp. There is also numbness on the right side of his face, down to his lips, as a result of a severed nerve. The offenders were convicted of assault causing bodily harm along with other offences and received jail sentences.

Award: \$2,705.90 (pain and suffering \$1,850.00)

200-3844 The applicant, 45 years of age, went to the assistance of his wife who was being assaulted by an unknown person. He stopped the attack upon his wife, but he was subsequently assaulted. He was rendered unconscious for a short time and sustained a shoulder injury that required 22 physiotherapy treatments. The offender was convicted of robbery and assault causing bodily harm and sentenced to three years in the penitentiary.

Award: \$935.00 (pain and suffering \$800.00)

200-3858 The applicant, a 44 year old salesman, hired a man to remove his garage. This man demanded payment before the work appeared to be finished and an argument developed. The applicant was punched and pushed to the ground receiving soft tissue injuries to his head, face, right leg and hip. The offender was convicted of common assault and given a conditional discharge, plus three months probation.

Award: \$901.50 (pain and suffering \$500.00)

200-3871 The applicant, a 66 year old housewife, was on the street on her way to go shopping when she was mugged by two young men, who knocked her to the ground twice, struck her on the head and robbed her. She sustained three fractures to her pelvic area, has constant pain in her upper left leg, has recurring headaches and walks with a limp. The offenders are unknown.

Award: \$2,278.00 (pain and suffering \$2,000.00)

200-3893 The applicant, 23 years of age, while outside a hotel, was stabbed without provocation. He has a scar from the stab wound, and from the surgery he required. The offender was found guilty of attempting to wound and received 5 years imprisonment.

Award: \$1,506.00 (pain and suffering \$1,500.00)

200-3916 The applicant, an 89 year old retired lawyer, was walking along a street when he was knocked down by a youth. He received a double fracture of the left shoulder and his neck was also injured, causing a slight deformity. The offender pleaded guilty to assault causing bodily harm and was fined \$300.00.

Award: \$720.00 (pain and suffering \$700.00)

200-3939 The applicant, a 23 year old police constable, was involved in an incident at a hotel during which he was kicked in his left hand. A bone in his left ring finger was fractured. The offender is unknown.
Award: \$548.80 (pain and suffering \$500.00)

200-3944 The applicant, aged 67, noticed his neighbour's door was open and knowing he was at work, went to investigate. A young man rushed out, punched him in the face and knocked him to the ground. He received a tri-part fracture of the left zygoma and two fractures of the left maxilla. No offender has been apprehended.
Award: \$900.00 (pain and suffering \$800.00)

200-3979 The applicant, a 59 year old security guard, was approaching his apartment when a man asked him for a cigarette. He told the stranger he did not smoke and the man struck the applicant in the face and fled from the scene. The applicant was treated for a black eye, a laceration of the lip, requiring two sutures and a soft tissue injury to the nose. The offender pleaded guilty to assault causing bodily harm and was sentenced to 30 days in jail.
Award: \$1,030.84 (pain and suffering \$500.00)

FINDING WHERE PUBLICATION OF EVIDENCE WAS PROHIBITED

200-1561 The applicant, a juvenile female, was the victim of assault and attempted rape.

Award: \$2,785.00 (pain and suffering \$2,500.00)

200-2154 The applicant, a juvenile female, was the victim of attempted rape and wounding.

Award: \$3,960.00 (pain and suffering \$3,000.00)

200-2318 The applicant, a pregnant woman, was the victim of an assault.

Award: \$4,098.40 (pain and suffering \$3,500.00)

200-2507 The applicant, a young woman, was raped.

Award: \$3,038.02 (pain and suffering \$2,500.00)

200-2647 The applicant, a young woman, was brutally raped.

Award: \$11,506.34 (pain and suffering \$9,000.00)

200-2707 The applicant, a middle-aged woman, was indecently assaulted and beaten.

Award: \$2,865.00 (pain and suffering \$2,000.00)

200-2735 The applicant, a juvenile, was assaulted by other juveniles.

Award: \$887.46 (pain and suffering \$500.00)

200-2781 The applicant, an elderly man, was the victim of robbery with violence.

Award: \$1,850.00 (pain and suffering \$750.00)

200-2918 The applicant, a middle-aged woman, was raped.

Award: \$2,350.00 (pain and suffering \$1,750.00)

200-2951 The applicant, a young man, was the victim of a brutal assault.

Award: \$4,368.14 (pain and suffering \$2,750.00)

200-3053 The victim, a youth suffering from disability was viciously assaulted by a juvenile.

Award: \$1,147.00 (pain and suffering \$1,000.00)

200-3126 The victim, a young man, was the victim of an assault causing permanent disability.

Award: \$14,363.75 (pain and suffering \$7,000.00)

200-3160 The applicant, a middle-aged man, suffered a heart attack that he attributed to a sexual assault on his daughter. He was not found to be compensable.

200-3163 The applicant, a young woman, was raped.
Award: \$2,069.48 (pain and suffering \$2,000.00)

200-3182 The victim, a juvenile female, was the victim of an assault.
Award: \$908.00 (pain and suffering \$500.00)

200-3194 The applicant, a young man, was the victim of an assault. The Board reduced the award since there appeared to be some provocation by the applicant.
Award: \$1,014.00

200-3210 The applicant, an elderly woman, was the victim of an assault.
Award: \$2,538.70 (pain and suffering \$2,000.00)

200-3357 The applicant, a young woman, was raped and beaten.
Award: \$517.20 (pain and suffering \$500.00)

200-3414 The applicant, a young woman, was beaten and indecently assaulted.
Award: \$1,697.40 (pain and suffering \$1,250.00)

200-3454 The applicant, a young man, was beaten by three assailants.
Award: \$500.00 (pain and suffering \$500.00)

200-3474 The applicant, a young woman, was the victim of robbery and violence.
Award: \$1,919.48 (pain and suffering \$1,250.00)

200-3571 The applicant, a middle-aged woman, was raped.
Award: \$1,879.10 (pain and suffering \$1,500.00)

200-3583 The applicant, a middle-aged man, was shot during a robbery.
Award: \$2,510.00 (pain and suffering \$2,000.00)

200-3651 The victim, a juvenile female, was raped.
Award: \$2,398.30 (pain and suffering \$2,000.00)

200-3937 The applicant, a middle-aged man, was the victim of an assault.
Award: \$498.10 (pain and suffering \$300.00)

200-3970 The applicant, a young woman, was beaten and raped.
Award: \$1,978.85 (pain and suffering \$1,500.00)

SUMMARY OF DISALLOWED APPLICATIONS

200-876 The applicant, a 36 year old mechanic, was savagely assaulted by his former business partner. He had a loss of smell, taste and balance. Since the Board found that the applicant was intoxicated and contributed to his own misfortune, his claim was dismissed.

200-1297 The applicant, aged 46, was in a bar when he was attacked and had his ankle and nose broken. While the applicant claims it was an unprovoked attack, the Board found his intoxicated condition was a contributing factor to the altercation and denied his application under Section 17(1) of the Act.

200-1821 The applicant, a 26 year old labourer, claimed he was assaulted while he stood on the sidewalk. He received only a minor scalp laceration. Due to a lack of proof that an actual assault had taken place, the Board cited Section 5(a) of the Act and the application was denied.

200-1919 The applicant claimed on behalf of his son who is a high school student. While working in a store, a fellow employee wanted to get involved in some "horse-play" and allegedly kicked him in the side. As a result, his right kidney needed removal. There was conflicting evidence whether such a kick ever occurred and since the occurrence was never reported to the police, the Board invoked Section 17(1a) and dismissed the application.

200-2041 The applicant, then aged 28, heard a car stop outside the house he was visiting. A few shots were fired and he was wounded in the head, back, flank, thigh and abdomen. He was a member of a motorcycle gang with a persistent record of violence and criminality, of which he himself had been convicted several times. Given the applicant's character and lifestyle, the Board denied the application, citing Section 17(1) of the Act.

200-2261 The applicant, aged 26, received five stab wounds in the chest and back when he became involved in an altercation in the hall of a hotel. It seems he began the scuffle by pushing a friend who kicked him out of his room because he was being violent with his former wife, who was present. This developed into a fight which resulted in the stabbing. Given the fact, he left the hotel room to argue with his assailant and two other males that were present and intoxicated, he placed himself in a risky position. His behaviour also either directly or indirectly contributed to his injuries, therefore, the Board cited Section 17(1) of the Act and denied the application.

200-2276 The applicant, aged 24, was stabbed in the thumb when he refused to respond to alleged sexual advances. Due to the fact the applicant had been drinking prior to this event and was on the verge of drunkenness, he placed himself in the position of accepting certain risks

when he accepted an invitation to the alleged offender's apartment. Charges against the alleged offender were dismissed. The Board invoked Section 17(1) of the Act to reject the claim. Costs were allowed for counsel's expenses under Section 21 of Act for \$26.00

200-2464 The applicant, aged 30, was cut in the face as the result of a scuffle over the question of whether he had paid for his ticket. The applicant filed charges of assault, but failed to appear and as a result the charges were dismissed. The Board cited Section 17(1a) of the Act and denied the application.

200-2579 The applicant, a 38 year old machinist, was the victim of an alleged assault in an auto body shop. He sustained a fractured skull and broken collar-bone. The applicant was so intoxicated that he could not remember the circumstances of the fracas nor could he identify the alleged offender. The Board denied the application under Section 17(1) of the Act.

200-2668 The applicant, aged 20, was shot in the chest and abdomen after an argument over the sale of some drugs. He was involved in the illicit drug trade and was, in fact, the financier of the operation. Given his involvement in this and other illegal activities, the Board invoked Section 17(1) of the Act and denied the application.

200-2685 The applicant, a 58 year old civic employee alleges that he was knocked down and robbed, sustaining scalp lacerations as a result. The Board noted that there was a discrepancy between the dates of the injury as stated by the hospital and the applicant. The hospital reports also stated that he was "actually drunk". Given these facts and that the incident was never reported to the police, the Board dismissed the application under Section 17(1) and 17(1a) of the Act.

200-2756 The applicant, aged 25, claimed he was leaving a tavern when he was hit from behind by 3 men from a motor cycle gang. Evidence indicated he was extremely intoxicated at the time and did not co-operate with the police. The Board cited Section 17(1) and 17(1a) of the Act and denied the application.

200-2768 The applicant, a 47 year old public transit driver became embroiled in an argument over transfers with a female passenger. No evidence was given that the transfer was not valid and thus refusing to respond to her legal demands, contributed to what later became a physical dispute. Accordingly, the Board applied Section 17(1) of the Act and dismissed the application.

200-2792 The victim, an 11 year old student, was struck by a piece of clay which caused injury to her right eye and left the victim with blurred and double vision. The children were playing a war game when the clay was thrown. The Board weighed all the evidence carefully and found there was no evidence the victim was injured as a result of a crime of violence within the meaning of Section 5 of the Act, and dismissed the application.

200-2802 The victim, aged 85 was found with her hands tied in her home, which was burning. She only lived for approximately one hour. The applicant is the victim's nephew and administrator of her estate. He is claiming for funeral expenses, but the estate was large enough to discharge all the liabilities involved, therefore, the application was denied under Section 17(2) of the Act.

200-2823 The applicant, a 41 year old steeple jack and his wife were in their residence drinking alcohol when they entered into an argument. His wife stabbed him in the left forearm and chest with a knife. The charges against the wife were dropped due to his reluctance to appear. The Board dismissed the application under Section 17(1) and 17(1a) of the Act.

200-2854 The applicant, a 29 year old labourer, was viciously beaten by two males he met in a hotel. He had wished to purchase some illegal drugs from these men but they beat and robbed him. The Board stated it was not the intent of the legislature to compensate applicants where injuries were caused as a result of engaging in an illegal activity. The Board denied the application under Section 17(1) of the Act.

200-2897 The applicant, aged 27, was assaulted by three brothers in the parking lot at the rear of a hotel. There was conflicting evidence as to the cause of the fight, but given the fact the applicant also failed to press charges, the Board invoked Section 17(1) and denied the application. However, the Board ordered \$189.60 under Section 21 of the Act to cover disbursements by the applicant's counsel.

200-2921 The applicant, aged 22, was drinking alcohol with a friend, when he was slashed with a broken beer bottle on the chin. Evidence was before the Board that the incident was a result of the sale of illicit drugs and the applicant would not give any reason to explain the attack. The application was denied under Section 17(1) of the Act.

200-2973 The applicant, aged 20, had been drinking with some friends. One of his friends bumped into another male and fell. A small fight ensued but subsided. The applicant, however, continued to pursue this individual, hurling invective and challenges to him until he turned and stabbed the applicant. The Board found that the injuries sustained were caused by his own provocative and aggressive behaviour and thus denied the application under Section 17(1) of the Act.

200-2983 The applicant, aged 42, was involved in a fight in the parking lot of a church. The argument started over the alleged offender's car door banging into the applicant's car. There was conflicting evidence over the exact occurrence that led to the fight, but the Board found that the applicant brought about his own misfortune by kicking the other individual's car. Accordingly, the Board denied the application by way of Section 17(1) of the Act.

200-2992 The applicant, aged 25, was assaulted with a tire iron. There was conflicting evidence about what caused the assault but the Board accepted the evidence that the applicant was well known in the area for being involved in the sale of illicit drugs. The Board cited Section 17(1) of the Act and denied the application.

200-3050 The applicant, aged 21, claimed he was shot in the back while walking in the park. Further evidence indicated, however, that he was engaged at the time of the incident in the trafficking of drugs and that his injury was connected to this activity. Therefore, the applicant's claim for compensation was denied under Section 17(1) of the Act.

200-3056 The applicant, a 35 year old taxi driver, was given a severe beating as he was leaving a friend's home. The cause of the beating was a belief on the part of the offender that he staged a robbery of an illegal gambling operation in which they participated. The Board was of the opinion the assault was a direct result of his being engaged in an illegal gambling operation and therefore, the application was denied under Section 17(1) of the Act.

200-3197 The applicant, a 52 year old hairdresser went out at 3:30 a.m. to take a walk because he could not sleep. He made a homosexual approach to a man who then suggested they go to a more secluded area. This individual then assaulted the applicant, with robbery as his motive. The Board decided the applicant must have been aware of the potential dangers of walking in an isolated area at that hour and making sexual advances to a complete stranger. The Board, therefore, decided the applicant was the author of his own misfortune and denied the application under Section 17(1) of the Act.

200-3256 The applicant, aged 24, was drinking in a hotel when he was invited up to a room to drink with some patrons he had been talking with. When he was in the room, he was severely beaten. When criminal charges were laid, he refused to testify against the assailants. The Board therefore, denied the application citing Section 17(1a) of the Act. The Board ordered costs of \$218.25 to the solicitor under Section 21 of the Act.

200-3280 The applicant, a 24 year old truck driver alleges he was struck from behind with a blunt object while he was drinking in a hotel. Other evidence before the Board indicated that he was involved in a general donnybrook and that he received the blow as a result of being involved in it. The applicant was also unco-operative with the police so that charges could not be laid. The Board denied the application by taking into account Section 17(1) and 17(1a) of the Act.

200-3344 The applicant, aged 30, alleges she was dancing with her husband when a fight broke out on the dance floor of the hotel. It was during this scuffle that she claims she was struck in the back, causing pain and bruising. Conflicting evidence by the applicant as well as other evidence that no fight ever took place resulted in the Board denying the

application because they could not find she was a victim of a crime of violence. The Board ordered costs to the solicitor of \$150.00 under Section 21 of the Act.

200-3491 The applicant, aged 42, alleges he was assaulted when he emerged from a steam bath. The evidence he provided the Board was that he made a homosexual advance to the alleged offender, while in the steam room. This incensed the stranger, who then argued with the applicant and finally resorted to physical violence. The applicant's actions were said to be provocative and alarming and the Board dismissed the application by way of Section 17(1) of the Act.

200-3538 The applicant, aged 49, was employed on the janitorial staff of an automotive plant and claims he was assaulted without provocation by a fellow employee. During the hearing, evidence was given that the applicant used abusive language against the alleged offender as well as giving him a kick before being punched. Given the circumstances, the Board cited Section 17(1) of the Act and dismissed the application.

200-3733 The applicant, a 22 year old die press operator was at a drive-in restaurant when three males came up and accused him of moving into their area. They began striking him and one of his companions. The applicant refused to testify against the alleged offender, thus the Board cited Section 17(1) of the Act and dismissed the application.

200-3750 The applicant, aged 79 was taking a walk when a young boy riding his bicycle collided with him. No charges were laid since it was strictly an accident. The Board could not award compensation because the applicant was not a victim of a crime of violence. The Board, however, invoked Section 21 of the Act to reimburse the applicant for expenses to attend the hearing.

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