



Nfld. & Labrador

Sexual assault survivors need legal advocates, Lucy DeCoutere tells St. John's panel



Actor and air force captain shares what she learned during Jian Ghomeshi trial

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Lucy DeCoutere was part of a panel discussion in St. John's on Monday. (CBC)

You're going to get destroyed.

Lucy DeCoutere remembers that warning was issued while she prepared to testify against Jian Ghomeshi in a sexual assault trial that made international headlines.

"I didn't know anyone else who had been through anything like this. I was told that I was going to get destroyed — but I didn't know what that meant."

Now DeCoutere is taking what she learned from that trial — one with three complaining witnesses, which resulted in Ghomeshi's acquittal — and sharing it, in hopes of improving the criminal justice system.

The actor and air force captain was part of a panel discussion in St. John's on Monday with two lawyers and a police inspector. The four talked about the way the courts handle complaints of sexual violence and how the approach might change.

"It's interesting to see that there is a movement afoot to change how sexual assault complainants are dealt with in court," she said.



Former CBC host Jian Ghomeshi leaves court with his sister, Jila, right, in May 2016. (Mark Blinch/CP)

DeCoutere said she believes complainants need legal representation or at least someone in the courtroom to protect their interests.

She said she didn't know much about the system before the trial began.

"I didn't have an advocate and I learned about the process as I was going through it," she said.

"It was quite different from what I expected, and the police couldn't really offer any guidance."

Sense of powerlessness

Feeling disenfranchised by the justice system is common among sexual assault survivors, said lawyer Allison Conway, who was also on the panel. Her St. John's practice focuses in part on representing survivors in civil litigation.

"There is a sense of powerlessness. They have very little ability to affect the process themselves, there's not someone there to represent them, and it can be very challenging."

Conway said the system is getting better at treating complaints with dignity.



Lawyer Allison Conway says it's common for sexual assault survivors to feel disenfranchised by the court system. (CBC)

For example, in Newfoundland and Labrador there are now training programs for police, lawyers and judges that teach participants how to treat people who've been through traumatic events.

"There've been some great advancements," she said. "We're trying to make the system more accessible but there's definitely a ways to go."

Four years after the Ghomeshi trial ended, DeCoutere said she still regrets the way she answered some of the questions in court.

She tried to adhere to the cut-and-dried, yes-and-no logic of the adversarial system, she said, rather than offering what she believed could have been fuller, more nuanced answers.

"From a public perspective ... I'm glad that I took a chance to shine light on this thing. But personally, you know, it was pretty crushing."

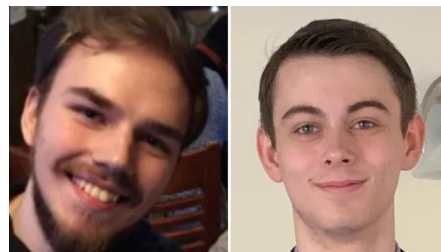
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