



ON THE PATH TO JUSTICE:
Learning from Various Violence in
Relationship Court Models
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Tracy Porteous
Executive Director
EVA BC



**Domestic
Violence
Court**

Monitoring

**Specialized
Responses**

**Information Sharing
& Coordination**

**Offender
Accountability**

**Proper Risk
Assessment &
Safety Planning**

**Community Anti-
Violence Support**

Prevention Programs -

Prevention Programs -

Prevention Programs

- **Public Awareness**
- **Healthy Relationships**

Community Anti-Violence Support

Community Anti-Violence Support

- CBVAP
- THs
- Counselling For Men
- Outreach

Proper Risk Assessment & Safety Planning

Proper Risk Assessment & Safety Planning

- Trained Police
- Victim Services
- Crown
- MCFD
- Corrections



Offender Accountability

Offender Accountability

- Ongoing risk assessment & monitoring
- Acting on breaches



Information Sharing & Coordination

Information Sharing & Coordination

- Policy
- Legislation
- Monitoring for compliance
- Clear permission

Specialized Responses

Specialized Responses

- DVUs
- ICATs
- Designated Crown
- Designated Court Days
- Designated Judges

Monitoring

Domestic Violence Court



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Prevention Programs -

DV Courts in the US

- One judge for one family for all civil and criminal matters involving domestic violence
- Dedicated Judges, attorneys, victim advocates, resource coordinators, corrections and court staff
- Immediacy in Response and efficient disposition
- Victim Safety: Front load victim services. Court based Victim Advocates contact all victims within 24 hours. Court based and community based victim advocates are both co-located in Courts

US DV Courts, Con't

- Coordination with and referrals to community based victim services on site by court based advocates (counselling, safety planning, housing, job training, child care, etc.)
- Offender accountability and compliance monitoring
- Consistency in Response and no conflicts among court orders
- Specialized Training
- Coordination between criminal justice and community based services

Keeping Women Safe

- ▣ Based on:
 - Current research/evaluations of coordinated approaches in other parts of Canada
- ▣ - Criteria outlined in the *Final Report of the Ad Hoc Federal/Provincial/Territorial Working Group Reviewing Spousal Abuse Policies and Legislation* (2003)

EIGHT CRITICAL COMPONENTS

1. Managing risk and victim safety
2. Specialized victim support
3. Offender accountability
4. Information-sharing
5. Coordination
6. Domestic violence policy
7. Use of specialized expertise
8. Monitoring and evaluation

Eight Critical Components of an Effective Response

1. Managing Risk and Victim Safety

- including a comprehensive, coordinated approach to risk and safety assessment and victim safety planning

Estranged husband nabbed for murder

Early a.m. screams prompt 911 calls from neighbours

By Paul Walker
This time

Police are investigating the killing of a 30-year-old woman in a quiet north end Nanaimo neighbourhood early Friday.

At about 6:30 a.m., shocked neighbours on Lasalle Road called 911 after seeing a violent altercation between a man and woman in the 600-block.

There was a fight and a woman was screaming," said neighbour Neil Sorsdahl. "She was just screaming."

Sorsdahl was among a number of residents who saw what was happening around a utility pole at the corner and called police. The attack apparently inflicted serious and fatal wounds upon the woman.

Although rushed to hospital by ambulance, the woman was pronounced dead in the emergency room. Later in the morning, RCMP forensic investigators were focusing attention on the utility pole with bloody hand prints on it.

ESTRANGED HUSBAND ARRESTED

The woman's name has not been released by police, but her estranged husband was arrested by Mounties in Duncan near the hospital later in the morning. The man's lawyer, Stephen Taylor, said he could provide no other details, including what charge his client faced.

The 46-year-old man had been subject to a civil court restraining order, issued in B.C. Supreme Court in May, restricting contact with the woman as they precoced through a divorce. Although the order allowed him to have routine contact with her he was not to "insult, harass or annoy" her. They had two children.

The process to bring a Criminal Code restraining order against the estranged husband through provincial court had begun Thursday and a warrant was to be served on him sometime Friday. The deceased woman's boyfriend said the Crim-



POLICE DUST for fingerprints on a blood splattered lamp pole on Lasalle Road in North Nanaimo, Friday morning.

A woman who lived in the area lost her life Friday morning. (Glenn Olsen/Daily News)

inal Code restraining order related to an alleged incident on Nov. 16.

He said the man came to his house that night brandishing a knife, had grabbed the woman by the neck and then slashed his tires after being forced to leave. The boyfriend said the woman left an abusive relationship with the man about 10 months ago.

He said in those 10 months there were a number of complaints to the police about threats and harassment from her estranged husband. Now he is furious no charges were laid immediately, and the Criminal Code restraining order was not initiated until it was too late.

"I am going to sue the police," he said. "For 10 months we tried to tell them, and now she's dead."

Once the divorce was complete, he said, they were going to marry and wanted to start a family.

Police were not available to respond to the boyfriend's allegations.

Risk and Safety

- Risk Assessment and safety planning are complex process
- No single check list is a substitute for careful analysis of the complexity of risk factors which may be present in each individual case



- Women are experts
- Safety Planning should consider all aspects of a woman's life
- Making effective referrals is key
- Safety Plans must take into account critical times when risk is heightened and be flexible to address these
- Appropriate sharing of information crucial to assessment of risk and safety planning



Eight Critical Components of an Effective Response

2. Specialized Victim Support

- including comprehensive, proactive, and timely support with outreach and access for marginalized groups

One in six women suffer abuse: WHO

One woman lost twins after being hit in the stomach by the father of her unborn babies, another sleeps in a locked bedroom to protect herself from the partner who has threatened to shoot her.

They are among the one in six women worldwide who suffer from domestic violence.

In some communities up to two in three females have been harmed by their husband, live-in partner or boyfriend, according to a

World Health Organization (WHO) study.

"Society has condoned this for far too long," said Joy Phumaphi, assistant director-general of Family and Community Health at the WHO.

"It is also very, very clear from the study that a large number of women do not report this. One-fifth of them do not share the information, at all, with anybody," she told Reuters.

The report, based on interviews with 24,000 women in

10 countries ranging from Japan and Thailand to Namibia and Peru, is the first comprehensive global study to assess the extent of domestic violence, its effect on women and the response by governments and communities.

It paints a harrowing picture of broken bones, bruises, burns, cracked skulls, dislocated jaws, rape and fear. Often the cycle is repeated from one generation to the next.

REUTERS

Eight Critical Components of an Effective Response

3. Offender Accountability

- including appropriate and consistent sentencing, consistent enforcement of protection orders, and accessible treatment for abusers



Offender Accountability

- Effective enforcement of protection orders
- Offender accountability through assaultive men's treatment

Eight Critical Components of an Effective Response

4. Information Sharing

- including consistent, timely information-sharing between agencies and with the victim, with particular emphasis on high-risk cases

“... life trumps privacy,
and our laws reflect
that reality.
... Tragedies should not
occur as a result of a
misunderstanding of
privacy legislation.”

(Practice Tool for Exercising Discretion, Cavoukian and
Loukidelis, 2008)



INFORMATION SHARING AND SAFETY

Releasing Information in High Risk Cases



INFORMATION SHARING IN HIGH RISK CASES

- Generally, consent is required before personal information can be disclosed.
- Federal and provincial privacy laws allow personal information to be shared without consent in certain situations

Releasing Information in High Risk Cases

New ability to disclose personal information if purpose is for:

- reducing the risk that an individual will be a victim of domestic violence
- if domestic violence is reasonably likely to occur

Eight Critical Components of an Effective Response

5. Cross Sector Coordination

- including coordination and collaboration at **all levels among all relevant sectors**, senior level leadership, and resources to adequately support a coordinated approach

Husband kills wife, daughters and self

Quebec man, 45, could not bear looming breakup with his spouse

BY TU THANH HA, MONTREAL

A Quebec grandmother got the worst possible telephone call yesterday morning when her son-in-law rang her up at 5 a.m.

Jacques Picard told her he had just killed her daughter and her two granddaughters.

The son-in-law then hung up the phone and shot himself, ending a triple-murder-suicide that wiped out his family of four.

In what has become an all-too-familiar pattern, Mr. Picard killed his wife and his two teenage daughters because he couldn't bear to face an impending separation from his spouse.

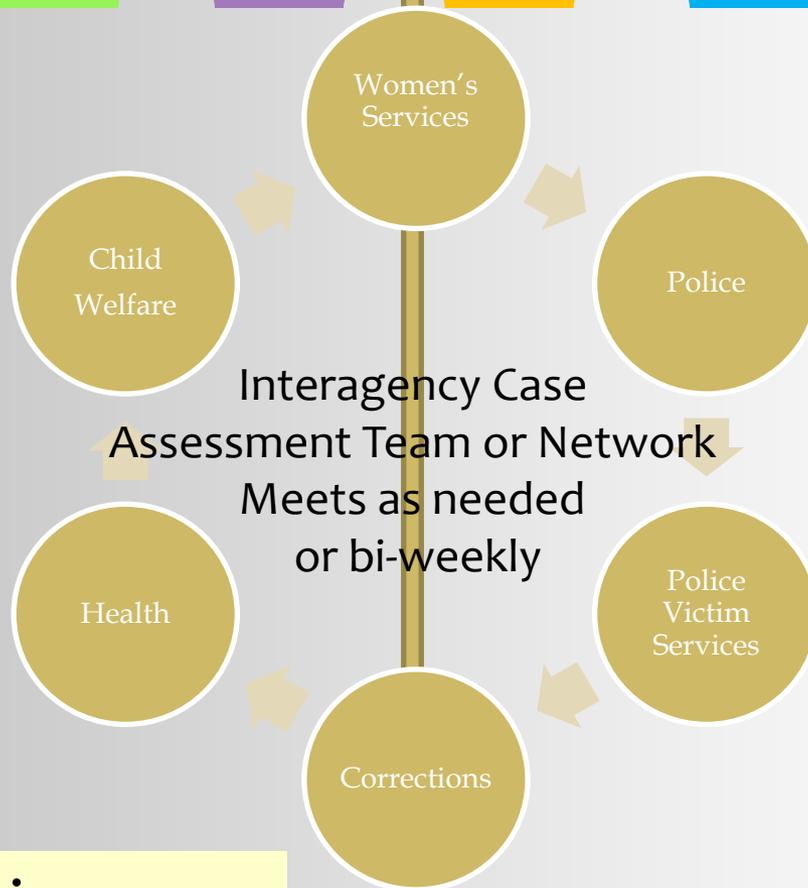
Mr. Picard, 45, and his wife, Marion Houde, 42, had moved from Quebec City to Otterburn Park, a leafy bedroom community southeast of Montreal. They had two daughters, Marie-Helene, 15, and Catherine, 12.

A keen outdoorsman, Mr. Picard had a dozen legally registered hunting rifles at home.



KEVIN REMOND/CANADIAN PRESS

The body of one of the victims of a triple murder and suicide is removed from a house in Otterburn Park, a leafy bedroom community southeast of Montreal.



Local Coordination

Provincial Coordination in Action

CCWS tracks emerging issues

- may convene cross regional, cross sector conference call to investigate the extent and full nature of concerns that are being identified across province
- conduct research and write backgrounder
- meet with sectors to seek negotiated solutions
- may do province-wide survey regarding the concern



May convene CCWS Working Group Sub-committee to address concerns

CCWS Investigates Problems

- informs advocate of what should be expected of system
- may attend local VAWIR if issue is of sufficient concern that it is deemed that all members need training on certain issues

Eight Critical Components of an Effective Response

6. Domestic Violence Policy

- including adherence to a comprehensive justice system policy that applies to all justice system components and requires a consistent and informed approach to charging, prosecution, victim referral and offender accountability

The Importance Coordinated Policy and Legislation

Children's watchdog says murders of three children could have been prevented

Dirk Meissner, **THE CANADIAN PRESS**  Thursday, March 01, 2012 7:41 PM

 Recommend

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Mary Ellen Turpel-Lafond releases an investigative report into the deaths of three children killed by their father, Allan Schoenborn in April 2008, during a press conference in Victoria, Thursday, March 1, 2012. THE CANADIAN PRESS/Chad Hipolito

VICTORIA - Three vulnerable children murdered by their mentally ill father could have been saved if British Columbia's social safety net was working properly, says a scathing report by the children's commissioner that immediately prompted government to apologize to the bereaved mother.

Kaitlynn, 10; Max, 8; and Cordon, 5; died horribly in April 2008 in Merritt, B.C. after enduring lives of upheaval and anxiety caused by domestic violence and their father's untreated serious mental illness and addictions, said the

report by B.C.'s Independent Children's Representative

Mary Ellen Turpel-Lafond.



Ministry of Public Safety and Solicitor General
Ministry of Attorney General
Ministry of Children and Family Development

Violence Against Women in Relationships

POLICY

December 2010

VAWIR Policy and High Risk Protocol

- “..authority to share information among justice and child welfare partners is found in provincial and federal legislation.”

Eight Critical Components of an Effective Response

7. Specialized Responses

- such as specialized victim support, specialized child protection, designated DVU or ICATs, dedicated police and Crown, and dedicated court time, adequately funded specialized training

While ferry service has been disrupted, high winds have helped others enjoy the weekend.

Man held in stabbing death

Langford slaying leaves 23-year-old woman dead and her common-law husband in custody

By Sandra McCulloch
Times Colonist staff

A dead-end street in Langford returned to its usual quiet Monday after a 23-year-old woman was killed during the early morning hours.

Police have not released the cause of Okesana Rogalsky's death.

Her 31-year-old common-law husband is in custody and charges relating to her death are pending against him.

Traffic along Preston Way on Monday morning included a good number of motorists curious about the site of Greater Victoria's second homicide of 1999.

A steady stream of traffic drove slowly past the house numbered 979, a tidy, yellow and white two-storey home sur-

rounded by drooping crime-scene tape. In the driveway sat a polished Jaguar, a Chrysler sedan and a Ford four-by-four pickup with "Whiskey Business" emblazoned across the hood.

At the end of the driveway, a Mountie in a patrol car guarded the scene for identification officers to document evidence.

The late-morning calm was a contrast to the noise and violence of the early-morning hours. Neighbours were awakened at about 1 a.m. by a commotion in the street.

A man was in the street yelling at a woman in the house. Someone living nearby called police and by the time officers from the Western Communities detachment of the RCMP arrived after a 911 call, the woman had been seriously wounded. She was taken to hospital by ambulance and later died of her injuries.

Later in the morning, a few neighbours were still in bathrobes and dazed by events of the night before.

They wanted to catch up on lost sleep but remained transfixed by events outside their windows.

"It's such a shock — they're such quiet

people," said next-door-neighbour Eileen Robinson.

Across the street, Donny Gullens propped his broken leg on a chair as he sat on his deck and watched the police investigators arrive and depart.

"I talked to him a couple of times and he seemed like a pretty nice guy," he said of the male under arrest.

Gullens said there was no hint of violence between the couple, who moved onto the street in October.

"They seemed to get along," Gullens said. The house was bought by relatives in the summer who spent months renovating the place before the couple moved in, Gullens said.

Sandy Niebergall awoke around 1 a.m., wondering if someone in her family had left the TV on.

"I heard a man's voice," recalled Niebergall later in the day.

"I got up and realized someone was walking in front of our driveway. He was walking down the street and shouting."

Sandy's daughter Charmaine, who



sleeps in the front of the house, said, "A girl came out of the house and they were just screaming and yelling at each other. I couldn't understand what they were saying."



Police, at left, leave scene of slaying at Preston Way residence. Langford. Suspect's truck, ab remains in couple's driveway

The neighbourhood has always comfortable, Sandy said.

"It's a nice neighbourhood. We're not had any problems. We really stunned (by the violent death)."

The Federal- Provincial-Territorial Working Group summarized the issue:

“There is evidence that dedicated courts do improve justice system performance.

However, formally dedicated or specialized courts appear not to be the only means of improving the justice system response to domestic violence.

The elements of the courts’ response – what makes this response effective – can be exported and implemented in other ways, such as through specialized processes...”

Specialized Responses

- Specialized Victim Support
- Dedicated DVUs
- ICATs
- Specialized Crown
- Dedicated Court Time
- Designated Judges
- Training for all is critical!

Specialized Responders are Better Informed = Victims Safer

The Ottawa Sun, Wednesday, June 12, 1996

Judge calls wife-beater 'dangerous to society'

By JACKI LEROUX
Ottawa Sun

WILLIAM Imming is not just a threat to girlfriend Rachel Savage, he's "dangerous to society," a Quebec judge said in denying him bail yesterday.

Judge Jean-Francois Dionne, ruled the "community would be at risk" if Imming, 43, charged with five assault charges on Savage, was released.

Dionne said he believes Imming is responsible for the disfiguring scar on Savage's face and repeatedly stressed he thinks she is a typical case of battered woman syndrome. He added he accepts Savage's vid-



IMMING Jailed



SAVAGE Retraction

etaped statement made to police following the last attack on April 21, although Savage took the stand yesterday to downplay or retract her previous statements.

Three of the assaults, including the last one, involved a knife. In a Canadian first, the Crown is forging ahead with the charges using only the videotape as evidence after Savage claimed she was drunk during the taping and was pressured by her family to go to the police.

Written statements from other "objective people" attested to Imming's "very violent" behavior, Dionne noted.

On the stand yesterday, Savage tried to convince Dionne that the scar on her face was the result of a fall on the corner of a radiator after she suffered a hypoglycemic attack.

"He did not do anything to my face," she insisted, presenting the judge with a photo that re-enacts her account of the incident.

Although she claimed Imming drove her to the hospital, a hospital report stated Savage was found wan-

dering around outside the facility alone. Dionne also said he was disturbed by Savage's testimony about the extent of abuse she's suffered at Imming's hands.

The previous day, court heard Savage say in the videotape that Imming beat her "every day" starting three days after his March 10 release from prison after serving 18 months for beating his estranged wife, Heather, with a tire iron.

"When I saw that video ... you said that your house is like a prison," Dionne said. "Isn't the main (symptom) of battered wife syndrome what you talked about on the video? Being a prisoner in your own house, your own body?"

"I hide in the house because I'm an alcoholic," Savage replied.

Eight Critical Components of an Effective Response

8. Monitoring and Evaluation

- including monitoring and evaluation and a systematic, comprehensive approach to collection, analysis, and publication of statistics across all system



Finally Done!!

Thanks for listening!!