

# **PARTNER ABUSE PROTOCOL**

**for**

**THE CITY OF KINGSTON & FRONTENAC COUNTY**

**Best Practice Guidelines for a Collaborative Response  
to Victims of Partner Abuse**

**Developed by the Coordinating Committee Against Domestic Assault on Women  
2003**

**Revised by the Kingston Frontenac Anti-Violence Coordinating Team  
2008**

**The Coordinating Committee Against Domestic Assault on Women extends its thanks and appreciation to the Trillium Foundation of Ontario for the financial support it provided for this project.**

**KFACT thanks the Ministry of Community and Social Services for the financial support it provided for the Protocol evaluation and revision project.**

**Service providers are welcome to copy and distribute pages or sections of this Protocol with reference to the source.**

**Individuals interested in copying portions of this Protocol should be aware that the document is updated regularly by CCADAOW.**

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## **Acknowledgements**

The present Partner Abuse Protocol is the result of much hard work by many people over the past 4 years.

The initial 2003 Protocol was developed under the direction of the Partner Abuse Protocol Steering Committee of the Coordinating Committee Against Domestic Assault on Women (CCADAOW).

In 2005, CCADAOW expanded its mandate to include sexual violence and changed its name to Kingston Frontenac Domestic and Sexual Violence Council. The following year, the Council obtained funding to evaluate and revise the Protocol. As part of that project, the Council changed its name again – it is now called Kingston Frontenac Anti-Violence Coordinating Team (KFACT).

The work to develop the original Protocol and to make the revisions that have resulted in this edition could not have been done without the commitment and efforts of the area service providers who provided input through surveys, interviews and meetings and of the various shelters and coordinating committees throughout the province who shared their work with us.

The Steering Committee of CCADAOW and of the Council took responsibility for providing the vision, direction and guidance that both phases of the Protocol project required.

KFACT wishes to extend thanks and appreciation to consultants Judith Moses of Collective Wisdom Consulting for her work in the development stage of the Protocol and Pamela Cross for her work in the evaluation and revision of the Protocol. Both brought a strong commitment to anti-violence services to their work with the Council and both were a pleasure to work with.

KFACT also wishes to extend a special thank you to Janet Lee, Manager of the Victim/Witness Assistance Program and to Lisa Fox, Women's Community Counsellor at Kingston Interval House for their unwavering commitment to a community-based approach to ending domestic violence and to the Protocol, which is integral to the success of this work.

Lastly, we wish to honour the many women and children who have endured, suffered and been lost to partner violence. Their courage, resourcefulness and strength serve to inspire and energize us in our continuing efforts to eradicate violence against women and children.

### Declaration of Commitment

We, the signatory partners of this Protocol, affirm our commitment to and accountability for the implementation and monitoring of the best practice guidelines for a collaborative response to victims of partner abuse outlined in this document.

We believe that our individual and collective responses to partner abuse are enhanced and strengthened by a shared understanding of the issue and a commitment to work collaboratively and cooperatively to meet the many different needs of victims of partner abuse and their children. To this end, we have participated in the development of this Protocol and we agree to comply with the procedures and guidelines contained herein.

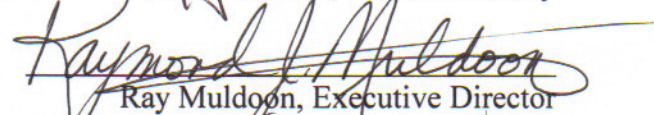
#### Signatory Partners:

*Listed in alphabetical order by agency name*

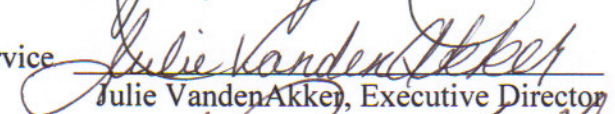
Crown Attorney's Office,  
Kingston & Frontenac County

  
Bruce Griffith, Crown Attorney

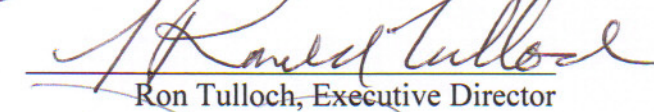
Frontenac Children's Aid Society

  
Ray Muldoon, Executive Director

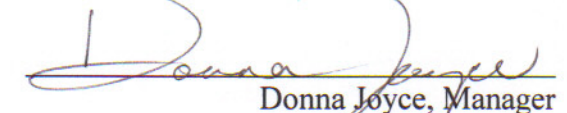
Frontenac Victim Crisis Assistance & Referral Service

  
Julie VandenAkke, Executive Director

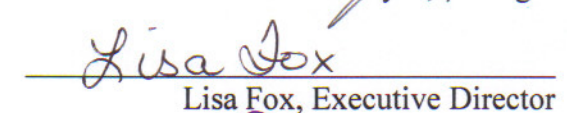
K3C  
(formerly Kingston Community Counselling Centre)

  
Ron Tulloch, Executive Director

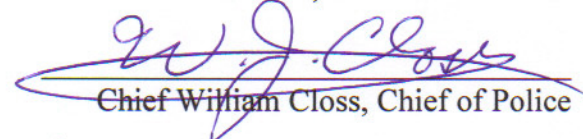
Kingston General Hospital Sexual Assault/  
Domestic Violence Program

  
Donna Joyce, Manager


Kingston Interval House

  
Lisa Fox, Executive Director

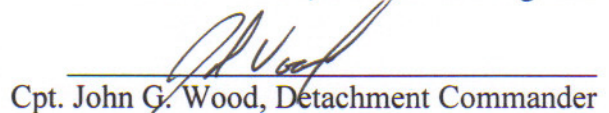
Kingston Police

  
Chief William Closs, Chief of Police

Land O' Lakes Community Services

  
Susan Andrew-Allen, Director of Programs

Military Police, Canadian Forces Base, Kingston


  
Cpt. John G. Wood, Detachment Commander

Signatory Partners (continued)

Ontario Provincial Police, Frontenac

  
Staff Sergeant Gary Ouellette

Ontario Works, City of Kingston

  
Lance Thurston, Commissioner


Probation & Parole

  
Nancy Wills, Area Manager

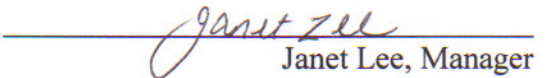
Sexual Assault Centre Kingston

  
Kim Allen, Executive Director

The Salvation Army  
(Supervised Access Centre)

  
Bonita McCourt, Community & Family Services Director

Victim/Witness Assistance Program

  
Janet Lee, Manager

Date of signing: October, 2007

## **Associated Agencies & Organizations**

Victims of partner abuse and/or their children may enter the service delivery system in a multitude of ways. Many different health, social service and/or legal agencies and organizations in Frontenac County provide various services to individuals who have experienced partner abuse despite the fact that they are not specifically or exclusively mandated to provide specialized services to this population. A wide range of these service providers were invited to provide brief descriptions of their mandate, programs, and services with special attention to any internal procedures staff are required to follow in the event that they become aware that their client has been or is being abused in an intimate relationship.

The following agencies and organizations provided service descriptions for inclusion in this Protocol:

- Dawn House Women's Shelter
- HIV/AIDS Regional Services
- Kingston Community Legal Clinic
- Kingston, Frontenac and Lennox & Addington Public Health
- Kingston Frontenac Housing Corporation
- Kingston Military Family Resource Centre
- Legal Aid Ontario
- Limestone Mediation
- Kingston Community Health Centres
- Options for Change
- Pathways for Children and Youth
- Queen's University Human Rights Office
- Quinte United Immigrant Services, Central Eastern Ontario Translation and Interpretation Services

Service descriptions from associated agencies and organizations can be found in Appendix Four of this Protocol.

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**PROTOCOL FRAMEWORK**

## **Development and Purpose**

### **HISTORY**

The Kingston Frontenac Anti-Violence Coordinating Team (KFACT) was originally established in 1983 as the Coordinating Committee Against Domestic Assault on Women (CCADAOW). It was renamed Kingston Frontenac Domestic and Sexual Violence Council in 2005 and renamed KFACT in 2007. KFACT works to facilitate and support a coordinated community response to domestic violence. More specifically, it promotes the development and implementation of a collaborative plan for a comprehensive intervention and service delivery system for victims of partner abuse and their children. In addition, KFACT endeavours to contribute to the eradication of violence against women and children by assuming a leadership role in the areas of violence prevention, education, and advocacy.

In keeping with this two-pronged mandate, CCADAOW, as it then was named, initiated work on a Partner Abuse Protocol for service providers in 2000-01. The Committee applied for and secured funds to support this project in 2002 and a consultant was hired to assist with Protocol development in January 2003.

In 2006, KFACT applied for and received funding to support an evaluation of the Protocol, including an examination of violence against women services in Kingston and Frontenac County.

The Protocol was revised to ensure accuracy of information about agencies and services and to include more resource material on violence against women. The revised Protocol has been produced in electronic as well as print formats to increase accessibility and to make ongoing revisions an easier undertaking.

This phase of the Protocol project also included strategic planning for KFACT and training for team members.

### **PURPOSE**

This Protocol is designed to:

- promote a collaborative and cooperative response to victims of partner abuse and their children with attention to best practice guidelines and the most effective use of existing community resources
- facilitate and support effective communication between service providers involved with victims of partner abuse, including but not limited to the police, the Crown Attorney's office, shelter personnel, and community-based social service, justice, counselling, and health care professionals

- recognize the particular and specialized areas of expertise of the police, the Crown Attorney, shelter personnel, and social service, justice, counselling, and health care professionals, and
- clarify the respective roles, responsibilities, and practices of various service providers involved with victims of partner abuse and/or their children, including the police, the Crown Attorney, shelter personnel, and community-based social service, counselling, and health care professionals.

This Protocol has been written to support and facilitate the efforts of **service providers** working with victims of partner abuse. Service providers are welcome to share relevant sections of the Protocol, the entire document, and/or the accompanying pamphlet with clients in those instances when they believe the information would be beneficial to their clients in this format.

This Protocol recognizes that **partner abuse includes a broad continuum of coercive, threatening, and violent behaviours**, some of which are currently identified as criminal offences in the *Criminal Code of Canada*. Despite the wide range of abusive and violent behaviours demonstrated by perpetrators of partner abuse, this Protocol recognizes that all forms of partner abuse share several **common and distinctive features**, such as:

- a dynamic of power and control
- a tendency for victims to feel and/or assume responsibility for the violence and abuse directed towards them
- significant and often debilitating physical, emotional, and economic effects on both the victims of partner abuse and their children, and
- recurring and inter-generational cycles of violence.

**Partner abuse is a social issue** that demands a comprehensive response from governments, institutions, organizations, and individuals designed to identify and eliminate the underlying causal factors of domestic violence.

**Partner abuse is a legal/criminal issue** that demands interventions and strategies designed to hold individual offenders responsible for their choices and behaviour.

**Partner abuse is a community issue** that demands a coordinated, collaborative response designed to support and assist victims and their children in their efforts to recover from the negative effects of violence and abuse, and to live a life free from violence.

**Service providers are welcome to copy and distribute pages or sections of this Protocol with reference to the source. Interested individuals should be aware that the document is updated regularly. Permission must be obtained from KFACT for reproduction of the entire Protocol.**

## Definitions of Terms

For the purpose of this Protocol, and at the agencies represented by the signatory partners of the Protocol, we have adopted the following common definitions of key terms used throughout the Protocol.

A more comprehensive list of terms and terminology can be found in Appendix Eight.

### **PARTNER ABUSE**

Includes a broad continuum of coercive, threatening, and violent behaviours, including but not necessarily limited to emotional and psychological abuse, financial control and abuse, physical violence up to and including murder, sexual violence, and stalking/harassment, within a current or previous intimate relationship. Such behaviours may occur as a one-time incident causing physical and/or emotional injury to the victim and her family; however, in most instances, partner abuse involves repeated episodes of coercive, threatening, and violent behaviour which escalate in severity over time.

☞ ☞ **The predominant form of partner abuse in our society today is male violence against women. The victims of partner abuse are primarily, though not exclusively, women; the perpetrators are primarily, though not exclusively, men. The use of the term “partner abuse” throughout this Protocol recognizes that coercive and violent behaviours occur in both heterosexual and same-sex relationships; it further recognizes that there are female perpetrators and male victims of violence. However, in keeping with our current understanding of the causal factors, dynamics, and incidence of partner abuse, victims are referred to as “she” and perpetrators as “he” throughout this Protocol.** ☞ ☞

Detailed definitions of various types of partner abuse and related terms  
can be found in Appendix Eight.

### **LAW ENFORCEMENT, JUSTICE & MANDATED SERVICES**

Includes voluntary and mandated services designed to promote community and individual safety, ensure and enforce compliance with the law, and protect the rights of individuals including but not limited to:

- police services (City of Kingston; O.P.P.; Military Police)
- legal and court-related services, such as the Crown Attorney’s office and Victim/Witness Assistance Program

- mandated services, such as child welfare/child protection services and Probation and Parole, and
- various provincial services, such as the Criminal Injuries Compensation Board and the Victim Support Line (Victim Services Division, Ministry of the Attorney General)

### **SHELTER SERVICES**

Includes voluntary, community-based services mandated to provide emergency, transitional shelter to victims of partner abuse and their children.

### **CRISIS RESPONSE SERVICES**

Includes voluntary, community-based services designed to provide crisis intervention, information, referral, short-term support and counselling, and critical safety planning services, 24 hours a day, seven days a week, to individuals experiencing violence.

### **COMMUNITY SUPPORT SERVICES**

Includes a broad range of social service, counselling, and mental health services designed to meet ongoing, long-term, and/or specialized needs of individuals and/or specific populations in accordance with the mandate of the organization, including but not limited to:

- counselling, mental health, and addictions services
- population-specific services, such as services for Aboriginal communities, persons with disabilities and services for immigrants, refugees, and new Canadians
- housing services
- income support services, and
- educational services

Detailed descriptions of the services provided by signatory partner agencies can be found within the body of the Protocol in the appropriate sections as outlined above; brief service descriptions of other agencies and organizations who work with victims of partner abuse and/or their children in some capacity can be found in Appendix Four.

As noted above, a more comprehensive list of terms relating to partner abuse, including terms commonly used by law enforcement personnel, can be found in Appendix Eight.

## **Belief Statements**

### **WE BELIEVE THAT:**

1. All people have the right to lives free from violence and the threat or fear of violence.

### **WHAT IS PARTNER ABUSE?**

2. Partner abuse includes any form of coercion, abuse, or violence that occurs within the broad continuum of intimate relationships between persons, from first-date situations to situations in which former partners are now estranged. Victims of partner abuse are entitled to intervention and support regardless of where or when the abuse occurred, and regardless of the nature or duration of the relationship between the victim and the offender.
3. Partner abuse can be a criminal issue. Many types of abuse and violence within intimate relationships are currently recognized as criminal offences, and perpetrators of these offences should be held accountable for their actions to the full extent of the law.

### **WHY ARE SOME PARTNERS ABUSIVE AND VIOLENT?**

4. Partner abuse is a complex issue with many contributing factors. It occurs regardless of socio-economic status, class, age, sexual orientation/preference, occupation, mental health status, citizenship status, ability, spiritual beliefs, language, race, culture, or ethnicity.
5. The primary dynamic of partner abuse is power and control: the offender uses threats, intimidation, and pain to control the thoughts, feelings, and actions of his partner. This may occur on one occasion, causing physical and emotional injury that is detrimental to the victim's well-being and/or that of her family; or may involve repeated episodes of violence that escalate in severity over time. This dynamic of power and control makes it difficult for some victims to disclose the abuse, reach out for help, and/or end the relationship.

### **PROMOTING EFFECTIVE INTERVENTION**

6. The development and implementation of a coordinated plan for a comprehensive community-based service delivery system is one of the most effective approaches to partner abuse. No single organization has the resources or mandate necessary to address the multiple needs of victims of partner abuse, their children, and offenders; and victims of partner abuse benefit from a broad base of community support.
7. Victims of partner abuse should be active participants in the development and delivery of any safety and/or service plan. A participatory approach to service delivery empowers clients, ensures that the client's priority needs are addressed, and promotes cooperation and collaboration between service users and service providers.
8. The unique experiences and needs of children who have witnessed partner abuse must be given due consideration and attention during the development and implementation of any safety plan and/or collaborative service delivery strategy.

9. Coordinated community and law enforcement response systems are one aspect of the multi-pronged, long-term solution to ending partner abuse. Education, advocacy, social action, and other preventative measures are essential components of any collaborative strategy to eradicate partner abuse and other related forms of violence.

## **Guiding Principles for Service Delivery**

We will:

### **APPROACH TO SERVICE DELIVERY**

1. Support and assist victims in a sensitive manner with the goal of empowering them to make the best decisions and choices possible for themselves, their children, and non-offending/vulnerable family members.
2. Provide services, in accordance with our individual mandates, in a manner which reflects and reinforces our belief that offenders must be held accountable for their actions and that victims are not responsible for the violence or abuse they have experienced regardless of the various coping strategies they may have employed in the relationship and/or the circumstances in which the violence occurred.
3. Direct priority attention to and make decisions in consideration of the safety and health needs of the victim, her children, and non-offending/vulnerable family members in all instances.

### **COOPERATION AND COLLABORATION**

4. Work with victims, supportive family members, and other service providers as necessary to ensure that a network of support and assistance is readily accessible to victims of partner abuse 24 hours a day, 7 days a week. We will make every effort to address critical safety issues, such as the need for emergency shelter, within a maximum time period of 24 hours following first contact.
5. Work cooperatively and collaboratively to ensure that victims of partner abuse are given appropriate referrals to address their unique and changing needs in a prompt and timely manner and as necessary during our involvement with the victim and her children.

### **ACCESSIBILITY**

6. Make every effort to ensure that victims of partner abuse are not denied access to critical and life-saving services – such as life saving medical interventions and emergency shelter, for financial reasons – i.e., based on their ability to pay.
7. Make every effort to ensure that our services are barrier-free and fully accessible to everyone with attention to financial, physical, linguistic, cultural, and geographic barriers. This includes and implies the provision of linguistic, cultural, and ASL and Deaf interpreters as necessary during interventions and service delivery.

## **Accountability**

### **TO VICTIMS OF PARTNER ABUSE**

Signatory partners will ensure that:

- services for victims of partner abuse provided by their organization are compatible with the Belief Statements, Guiding Principles for Service Delivery, and service descriptions found in this Protocol
- fair and objective client complaint procedures are readily accessible and available to the victims of partner abuse who access and use their services
- care and attention will be directed towards the common and distinctive features of partner abuse (as outlined on page 2 of this Protocol) in order to ensure that clients are not re-victimized by the complaint process
- clients are not treated in a punitive or dismissive manner by staff members during or subsequent to their involvement in any complaint procedures.

### **INTER-AGENCY ACCOUNTABILITY**

Participation and compliance with this Protocol is voluntary; however, signatory partners formally confirm their commitment to and accountability for the implementation and monitoring of the best practice guidelines outlined in the Protocol as evidenced by the signature of the senior administrative staff for each organization on the Declaration of Commitment. This commitment may include but is not necessarily limited to:

- ensuring that services for victims of partner abuse provided by their organization are developed and delivered in accordance with the Protocol with special attention to the Protocol Framework
- serving on KFACT
- serving on any monitoring and/or evaluation committees relating to ongoing use and application of the Protocol
- organizing, providing, and/or participating in in-house training and professional development opportunities for employees in relation to partner abuse
- organizing, providing, and/or participating in inter-agency, community-based training and professional development opportunities relating to partner abuse, and
- organizing and/or participating in community awareness, public education, and/or prevention initiatives designed to help eradicate violence against women and children.

A copy of the **Partner Abuse Protocol Revision Request Form** can be found in appendix seven.

**LAW ENFORCEMENT, JUSTICE  
& MANDATED SERVICES**

**CONTACT INFORMATION***In order as listed in the Protocol*

|  |                    |
|--|--------------------|
| Kingston Police  | 613-549-4660       |
| Military Police, CFB Kingston                                      | 613-541-5010 x5648 |
| Ontario Provincial Police, Frontenac                               | 613-372-1932       |
| Victim Witness Assistance Program                                  | 613-548-6213       |
| Crown Attorney's Office  | 613-548-6220       |
| Probation & Parole Services  | 613-536-7200       |
| Quinte United Immigrant Services                                   | 1-888-968-1065     |
| Central Eastern Ontario Translation and Interpretation Services    | 613-968-1065       |
| Children's Aid Society<br>City of Kingston and County of Frontenac | 613-542-7351       |
| The Salvation Army Supervised Access Centre<br>Kingston/Napanee    | 613-542-8533       |

## Police Services and Programs

In relation to:

**Kingston Police**

**Military Police, CFB Kingston**

**Ontario Provincial Police, Frontenac**

A copy of the Domestic Violence Incident Order (Kingston Police Services) can be found in Appendix Three.<sup>1</sup>

Definitions of terms commonly used by law enforcement and legal personnel, and used throughout this section in relation to police services and programs, can be found in Appendix Eight.

### INTRODUCTION

Adequacy standards for police services require that police services boards have a policy on investigations into partner abuse, more commonly referred to as domestic violence, domestic occurrences, or domestic incidents in police procedures; and the Chief of Police is required to develop and maintain specific procedures and processes for undertaking and managing investigations into domestic violence occurrences. These policies, procedures, and processes are designed to:

- establish a standardized approach for police response to domestic violence which includes but is not limited to “on scene” investigations, determination of reasonable grounds to lay charges, and monitoring;
- prevent further violence within a domestic environment, and
- ensure the safety of victims caught within the cycle of domestic violence and abuse.

Effective police intervention requires a team approach: **communication or dispatch personnel** must gather and input information necessary to protect the lives of officers and victims; **responding or patrol officers** must restore order, conduct a thorough “on scene” investigation, and offer appropriate information, referrals, and practical support to the victim; and **domestic violence investigators** must undertake, manage, or review the investigation, and serve as a resource to the responding officers.

**Police assign the same priority to domestic incident calls as to any other life-threatening call.** If information on file confirms there is a history of domestic incidents involving the identified parties and police have been called on multiple occasions to provide assistance to these individuals, the police will continue to respond to each call with the same priority and response time as the first time call.

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<sup>1</sup>The Order is subject to revision as deemed necessary. Any questions regarding the most up-to-date version of the Order should be directed to the Kingston Police.

## OVERVIEW OF SPECIFIC PROCEDURES

### *1. Initial Contact and Response*

Communications personnel receive and prioritize all emergency calls made to the police; as mentioned above, domestic violence incidents are considered to be priority calls for service. Communications personnel will send patrol officers to the scene even when calls are received from identified and unidentified third parties, when calls are disconnected, and when the caller indicates that the police are no longer required. Whenever possible, communications personnel will make the caller aware of the anticipated time of arrival of the responding officers. Communications personnel are aware that the police may represent the first point of contact in many cases of domestic violence. For this reason, and to ensure the safety of the responding officers, they try to gather as much information as possible from the caller, including but not limited to the caller's name and particulars, extent of injuries, individuals present onsite, weapons onsite, drug or alcohol use, and previous history of violence. This also helps to ensure that the responding officers are adequately prepared to provide the appropriate services when they respond to the call.

In some instances, it may not be possible for the caller to provide detailed information; for example, if the offender remains onsite.

Domestic violence incidents are often very unpredictable and, consequently, police officers use extreme caution and follow proven safety procedures when responding to these situations; for example, ensuring that communications personnel are aware of an officer's decision to enter a domestic situation alone. In most instances, two officers will be assigned to respond to these calls; whenever possible, a supervisor will also attend onsite.<sup>2</sup> Communications personnel will notify appropriate supervisory personnel, such as the watch commander, that a domestic incident has been reported.

When police officers arrive at the scene of the domestic incident, they will quickly conduct an initial assessment of the situation to determine if anyone onsite requires immediate medical attention, if there is a need for an ambulance to be called, and, in those instances when there are children onsite, if they have been harmed in any way. After dealing with these critical issues, the responding officers will separate all the parties involved in order to conduct a thorough onsite investigation.

Prior to beginning the investigation, the responding officers will determine if interpretation services are required. If so, these will be arranged through Quinte United Immigrant Services, Central Eastern Ontario Translation and Interpretation Services. The responding police officers will not use other family members, including children, or family friends as interpreters when conducting investigative interviews; however, other family members may be asked to communicate emergency information or inform the involved parties that interpretation services are being arranged.

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<sup>2</sup>Ontario Provincial Police, Frontenac, are mandated to assign two officers to respond to all domestic disturbance calls.

**When the suspect is a member of police services:**

In those instances when the responding officers determine that the suspect is a member of police services, they will immediately notify a supervisor who will attend at the scene and assume responsibility as the Officer-in-Charge. The supervisor will complete the investigation as outlined in relevant Orders and will ensure that all internal reporting and follow-up procedures are completed in accordance with said Orders.

*2. Initial Investigation: Interviewing Each Person Separately*

Responding officers will conduct a thorough investigation to determine if reasonable grounds exist for the laying of criminal charges and/or other charges. If reasonable grounds exist to believe that a criminal offence has occurred, the police are mandated to lay appropriate charges against the accused. The police officers will ensure that the victim and the suspect are aware that it is not the victim's responsibility or decision to lay charges; and, further, that once a charge has been laid, only the Crown Attorney has the authority to withdraw it.

Responding officers are required to comply with detailed orders pertaining to investigations when completing domestic incident investigations, including but not limited to:

- interviewing all parties separately (victim, suspect, and witnesses), with attention to officer and victim safety
- recording statements from the victim, suspect, and any witnesses, including children
- preserving the crime scene and collecting evidence in accordance with relevant orders
- supplying the victim with a business card indicating the investigating officer's name, badge number, and telephone number, and the incident number for the call/investigation
- providing appropriate information and referrals to court-related and social services, such as the Victim/Witness Assistance Program in those instances when a charge is laid and Kingston Interval House when the victim is in need of safe, temporary housing, and
- completing appropriate documentation whether or not an offence is alleged and whether or not a charge is laid (this ensures accurate tracking of domestic incidents regardless of outcome).

As noted above, the responding officers interview the victim, the accused, and any witnesses separately. This helps to prevent the reoccurrence or escalation of violence at the site. It also helps to ensure that the officers obtain an accurate account of what occurred prior to their arrival. Many victims do not feel safe reporting domestic violence if the accused is present in the same room or within earshot; in some instances when the accused remains present, victims may minimize or even deny the violence in an effort to appease their offender. Questioning the victim and the accused separately increases the likelihood that the responding officers will receive a more accurate and complete disclosure of any recent or past violence in the home.

**When immigration status is an issue and/or when language is a barrier:**

Responding officers may arrange for interpretation services through Quinte United Immigrant Services, Central Eastern Ontario Translation and Interpretation Services when language is a barrier to completing a thorough investigative interview.

In those instances when immigration is an issue and/or when a victim expresses concern that her immigration status will be at risk if she provides a statement, the responding officers will:

- explain that if she is not a Canadian citizen but is in the country legally, then her status in Canada will not change in any way as a result of participation in the judicial process, as a victim of an offence, as a result of giving a statement to the police, or as a result of charges being laid against the accused, even in those instances when the accused is the victim's sponsor
- advise the victim to obtain independent legal advice regarding her immigration status, and
- assist her in collecting and securing identification papers and important documents for herself and her children, such as residence identification papers, landed immigrant records, birth certificate, passport, health card, and S.I.N. card.

**When disability is an issue:**

Responding officers will make all reasonable efforts to contact appropriate community resources when working with victims with a disability. For example, a victim who is a wheelchair user may require specialized transportation, attendant care, and accessible temporary shelter; a victim who is Deaf will require ASL interpretation services.

In those instances when the accused person is the primary or sole caregiver for the victim and arrest and removal of the accused will put the victim at risk, the officers will work cooperatively with the victim to identify, contact, and arrange alternate care through family members and/or appropriate community services.

**When children are present:**

In those instances when children reside in the household, the responding officers will ensure that they are not placed at risk and are provided with appropriate support and assistance.

More specifically, responding officers will:

- inquire about and determine the child/ren's involvement in the domestic violence incident, either as witnesses, victims, or some other form of direct involvement such as calling 9-1-1 or attempting to break up the dispute, and
- contact the CAS, in accordance with the *Child and Family Services Act*, to ensure the children's safety.

Responding officers may contact the CAS immediately; for example, in those instances when the pattern and degree of violence in the home suggests that the children may be at risk of harm or

injury, or when the victim is unable to provide adequate care for her children due to her emotional or physical condition. In those instances when children are present or when children reside in the home, the officers will forward a copy of their incident report to the CAS, and the Children's Aid Society will make the determination as to how they will follow up with the family.

**When there is an allegation or possibility that both parties have been violent:**

In some instances, responding officers may have reason to believe that both parties have been violent toward one another. Observation and independent evidence may suggest this or, alternately, the officers may be told by the accused that the victim initiated the violence, participated in mutual violence, and/or assaulted the accused. While it is understood that this is a common tactic used by offenders to defuse or avoid responsibility for their violence, the responding officers will thoroughly assess the situation and determine whether reasonable grounds exist to lay charges against one or both parties with special attention to the law's intent to protect victims of domestic violence.

Specifically, responding officers will:

- attempt to determine who is the primary aggressor
- consider the history, control, isolation, and safety issues pertaining to the relationship, and
- consider whether self-defence provisions within the *Criminal Code* apply, including the relative size and strength of the involved parties; whether one of the parties feared the actions or threatened actions of the other; and whether reasonable force was applied in self- defence.

In those instances when the officers determine that reasonable grounds do not exist to lay charges against one or both parties, they will explain the process for laying an Information before the Justice of the Peace to the complainant(s). The officers will explain the implications of this option to the victim - i.e., they will tell her that the accused may try to lay a charge against her privately.

**When the accused is not present:**

In those instances when the suspect is not present when the responding officers arrive, the officers will still complete a thorough investigation with priority attention to any safety threat to the victim, public, and police. The police officers may determine that reasonable grounds exist to lay a charge against the suspect even when he is not present or available to be interviewed. Under these circumstances, the police officers will obtain a warrant for the accused as soon as possible following their first contact with the victim; and they will initiate appropriate action to locate and apprehend the suspect.

### *3. Laying Charges*

In those instances when reasonable grounds exist to believe that an offence has occurred, police officers are mandated through provincial policy to lay a charge. The officers consider a variety of factors or types of evidence when determining reasonable grounds, including verbal statements made by the victim and/or witnesses, physical injuries sustained by the victim, and other physical evidence of violence such as broken furniture or a room in disarray.

Officers will encourage the victim to provide a formal written or video statement to assist with the investigation. The responding officers appreciate that there may be many reasons why a victim does not want to provide a formal statement. The officers will encourage the victim to voice her concerns and will attempt to alleviate these concerns through the provision of information and support; for example, as discussed in relation to immigrant women and women with disabilities.

**The absence of a statement does not preclude the laying of a criminal charge.**

When taking a statement from a victim, the officers will explore a wide variety of issues relative to the specific domestic incident and to the pattern of control and power that exists in abusive relationships, including but not limited to:

- history of abuse and violence, both previously reported and unreported
- history of criminal harassment
- access to, presence of, and/or use of weapons
- degree of isolation experienced by the victim, and
- level of fear the victim feels in relation to the offender.

When reasonable grounds exist to believe an offence has occurred and when the offender is present, the responding officers will arrest and remove the accused. In those instances when the accused is not present, the officers will secure a warrant and will attempt to locate and arrest the accused as noted above. Under some circumstances, officers may exercise other options to bring the accused before the court, such as a summons.

If further time is required for the investigation for any reason or if the offender cannot be located, the responding officers will inform the victim of possible risks to her safety, confirm her right to leave the residence, and offer her assistance in temporarily relocating to a place of safety, such as Kingston Interval House.

**When charges are not laid:**

When the responding officers determine that there are insufficient grounds to believe an offence has occurred and, consequently, charges will not be laid, they are required to review the situation with a supervisor with attention to specific reasons for not laying charges. Any such decision must be approved and documented by a supervisor.

The responding officers will also:

- review their reasons for not laying charges with the alleged victim
- confirm that an incident report will be completed and other precautions on police resource systems may be taken, such as flagging the location of the alleged abuser should police get a call to that address in the future
- explain the alleged victim's right to lay an Information before the Justice of the Peace
- leave a card with their names, badge numbers, and the incident number with the alleged victim
- confirm the alleged victim's right to leave the residence and temporarily relocate to a safe location such as Kingston Interval House if she fears for her safety now or at any time in the future, and
- will offer information and referrals to appropriate community services such as Frontenac Victim Crisis Assistance and Referral Service.

In all instances, regardless of whether charges are laid, the responding officers will:

- remain at the scene until they are satisfied that there is no further threat or danger to the victim and her children
- provide information regarding safety planning, community services, and options for safe, temporary alternative housing, including contact numbers and addresses
- arrange for transportation of the victim and her children to a safe location such as Kingston Interval House if requested, and
- give the victim a card with their names, badge numbers, and incident number.

#### *4. Monitoring and Follow-Up*

Police officers will provide a variety of ongoing and follow-up services to victims of domestic violence following the initial investigation, arrest, and charging of the offender including:

- ensuring crucial information regarding the status of their case is provided to victims of domestic violence upon request
- inviting victims to assist the officer in determining the extent and type of conditions of release that will be requested at any bail hearings
- updating the victim on the outcome of any bail hearings, with special attention to confirming any conditions of release in those instances when bail is granted, and
- attending at a residence as impartial observers to ensure peaceful entry and exit when a victim returns to get her personal property.

Specific procedures may vary slightly between Kingston Police Services, the Ontario Provincial Police, and the Military Police at CFB Kingston. For example, there is not a women's shelter at CFB Kingston; however, Military Police have the option to arrange alternate, separate housing on the Base for victims of partner abuse and their children following disclosure of violence or abuse.

## Victim/Witness Assistance Program

### INTRODUCTION

The mandate of the Victim/Witness Assistance Program (V/WAP) is to provide information, assistance, and support to victims and witnesses of crime throughout the criminal justice process in order to increase their understanding of, and participation in, the criminal justice process. V/WAP services include needs assessments, referrals to community agencies, emotional support, case specific information (court dates, bail hearings) and court preparation and orientation. These services are available to adult and child victims and witnesses of crime, **after charges have been laid**.

In addition to these direct client services, V/WAP staff provide training for Crown Attorneys with respect to the issues of sexual assault and domestic violence. V/WAP staff also participate in public education activities and engage in community coordination initiatives such as the development of this Protocol.

V/WAP services are available Monday to Friday, 8:30 a.m. to 5:00 p.m. In some instances, interviews may be scheduled “after hours” if necessary.

V/WAP has a stated commitment to inclusivity and the provision of equal treatment of all persons.

### OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES

#### *1. Referral Process and Bail Safety Project*

Referrals to the Victim/Witness Assistance Program are accepted from police officers, Crown Attorneys, shelters, and other community-based social service providers after charges have been laid. V/WAP also accepts self-referrals.

Under the Bail Safety Project, when an accused is arrested and being held for a bail hearing, V/WAP will contact the victim by phone the following morning (Monday to Friday). Whenever possible, a meeting or telephone meeting with V/WAP and the Bail Safety Police Officer will be arranged for that day before the bail hearing or as soon as possible. Victims will be provided with information about domestic violence, safety planning, the criminal justice system, community referrals and emotional support. V/WAP and the Bail Safety Police Officer will obtain more complete information from the victim to assist the Bail Safety Crown in making better informed decisions regarding bail issues.

When the accused is not held for a bail hearing and upon receipt of a referral, V/WAP staff will initiate written and/or telephone contact with the victim inviting her to access the services available through the program. In this initial contact, and in all future contacts, priority attention will be directed toward safety issues for the victim and her children.

## 2. Pretrial Considerations

V/WAP staff will meet with the victim as soon as possible through the Bail Safety Project or following confirmation of her interest in the program to provide her with information, support, and referrals as outlined below. Meetings or contacts will be scheduled as necessary prior to trial, including a meeting between the victim and a full-time Crown if requested.

V/WAP staff will discuss and address a variety of key issues during pretrial meetings with the victim including:

- the information shared by the responding police officers regarding the laying and withdrawal of charges; specifically, that the police are responsible for laying charges and that only the Crown Attorney has the authority to withdraw any charges once they have been laid
- clarification that V/WAP staff will not discuss any evidence with the victim, including “what happened” between her and the accused, in order to avoid any suggestion that V/WAP staff have influenced or tampered with the victim’s evidence in any way; any questions or discussion of evidence will be redirected to the police or the Crown Attorney
- confirmation that any information shared with the **police**, including her original statement, or the Crown Attorney is not confidential with the exception of her address and telephone number which will remain confidential out of consideration for the victim’s safety; any information relevant to her case must be shared with the accused’s lawyer (defence counsel)
- confirmation that any information shared with **V/WAP staff** is not confidential. Any updated address and telephone number will be provided only to justice partners out of consideration for the victim’s safety. Specifically, V/WAP staff will inform the victim that should she disclose any information to V/WAP staff that may be relevant to the case, they are bound by legal obligation to disclose this information to the Crown Attorney who, in turn, may have to share the information with the accused’s defence counsel
- information about the justice system generally, such as explaining the role of the Crown Attorney and the Defence Counsel; and on the victim’s specific case, including updates on the status of her case
- preparation of the victim to testify in court and explanation of the court process and legal concepts relevant to the victim, such as preliminary hearing, “beyond a reasonable doubt”, exclusion of witnesses, truth-telling, and oath-taking
- courtroom orientation including a tour of the courtroom if requested
- information about domestic violence, safety planning, the availability of a two-hour Legal Aid Certificate, and counselling and support services available in the community, and
- provision of copies of release orders such as recognizances and undertakings.

V/WAP staff will ensure that specific or general concerns identified by the victim are forwarded to the Crown Attorney, with special attention to sentencing conditions and concerns.

### *3. Trial Issues*

As the trial approaches and proceeds, V/WAP staff will:

- ensure that the Crown Attorney is aware of any issues causing undue stress for the victim and work cooperatively with the Crown, the victim, and other support personnel to address and resolve these issues as much as possible
- facilitate contact between the Crown Attorney and victim in preparation for trial
- maintain contact with the victim throughout the criminal proceedings
- liaise with the police, the Crown Attorney, shelter staff, and any other service providers as necessary and as requested by the victim, and
- provide ongoing emotional support and provide court accompaniment, upon request and availability of resources.

V/WAP staff will offer victims access to a separate waiting area at court whenever possible given the physical constraints of court facilities. V/WAP staff will work cooperatively with the court police officer, Crown Attorney, and investigating officer to address any safety concerns relating to court appearances identified by the victim.

### *4. Post-Trial Issues*

V/WAP staff continue to support victims following trial, primarily through the provision of information and support. Specifically, V/WAP staff will:

- inform the victim of her right to complete a Victim Impact Statement (VIS) prior to sentencing, provide her with an Information Guide outlining the procedure for completion and submission of such a Statement, and ensure that she is aware that VIS are considered to be public documents and, as such, might be used in other forums such as family court
- update and advise the victim regarding any appeal and in which Court it has been filed. Superior Court of Ontario appeals are handled locally and the V/WAP office will advise and update the victim of the appeal. In the case of an Ontario Court of Appeal matter, a referral will be made to the Court of Appeal V/WAP office with the Crown Law office in Toronto
- provide information about the Criminal Injuries Compensation Board and facilitate a referral to Queen's Legal Aid for those victims interested in proceeding with an application
- provide copies of probation orders and a contact name and number for probation services
- provide information about the Victim Support Line in those instances when the offender receives a sentence of less than two years and the victim is interested in being updated about potential release dates, Ontario Parole Board eligibility dates, and the right to make representation to the Ontario Parole Board
- provide information about the National Parole Board, including her right to make representation to the Board, in those instances when the offender receives a sentence of two years or more, and
- provide information and referrals to community-based counselling and support services if necessary and as requested.

## **ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services received or not received through V/WAP can be directed to the Manager of the Program. In the event that the victim is not satisfied with action taken or resolution suggested by the Manager, she may direct her concerns to the East Regional Manager of the Ontario Victim Services Secretariat.

## Crown Attorney's Office

### INTRODUCTION

The Crown Attorney prosecutes criminal offences on behalf of the public, thereby promoting the public interest in the administration of justice. The Crown does not act on behalf of the victims of crime or provide legal representation to individual victims of partner abuse.<sup>3</sup> However, in order to fulfil the Crown's role as prosecutor, the Crown Attorney must consider the circumstances and concerns of the victim, make him/herself reasonably available to the victim to obtain information necessary for effective prosecution, and ensure that the victim is prepared for trial.

The Crown Attorney's office works independently of, but in cooperation with, the police. After the police have investigated an allegation of partner abuse and in the event that a charge is laid, the matter is then forwarded to the Crown Attorney's office for prosecution. In some instances, the Crown may decide to withdraw the charges; any such decision will be made in accordance with policy established by the Attorney General of Ontario and within the limits of the law.

The Crown Attorney's office is open Monday to Friday, 8:30 a.m. to 4:30 p.m.

The Crown Attorney's office has a stated commitment to inclusivity, equal access, and respecting the dignity of all victims.

### OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES

#### *1. Pretrial Issues*

The Crown Attorney has several specific responsibilities that must be addressed and fulfilled prior to trial as outlined below:

#### **a) Bail Hearing/Show Cause Hearing**

After an accused is arrested and taken into police custody, s/he may be brought before a Justice of the Peace for a Bail Hearing<sup>4</sup>. The Crown may seek a detention order, in which case s/he must show that there is cause to keep the accused in custody; alternatively, the Crown may suggest appropriate conditions for release.

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<sup>3</sup>Victims of partner abuse rarely require or arrange independent legal representation for themselves in relation to criminal proceedings against their offender. Victims may wish to discuss this issue with V/WAP staff in order to ensure that they fully understand the roles of the Crown Attorney vs independent legal representation for the victim vs defence counsel for the accused.

<sup>4</sup> Bail Hearings do not always occur. In some instances, police officers may release the accused, with or without conditions, with instructions to appear in court.

One of the most significant factors considered during the bail process is the protection of the victim, her or his family, witnesses, any other potential victims and the community at large. The onus is on the Crown to prove that it is in the public interest to detain a person who has not yet been found guilty of an offence.

If there is insufficient cause for detention and the accused is to be released, the Crown will typically suggest appropriate conditions for release, including orders:

- to prohibit the accused from communicating either directly or indirectly with the victim;
- to prohibit the accused from attending at or near the victim's residence, workplace and other places of importance to the victim, and/or
- to prohibit the accused from possessing weapons.

The victim may be required to appear as a witness at the bail hearing.

The Crown will make every effort to ensure that the victim is kept up-to-date regarding the Crown's plan for the bail hearing, the outcome of the bail hearing and any conditions of release. In most instances, the Police or V/WAP will update the victim in relation to these matters.

#### **b) Bail Safety Pilot Project**

The Crown Attorney's Office, in partnership with V/WAP and the Kingston Police Service, has implemented a Bail Safety Pilot Project as of December 11, 2006<sup>5</sup>. The Pilot Project affects all domestic violence cases in the City of Kingston<sup>6</sup> where the accused has been held for a bail hearing.

Where an accused has been held for a bail hearing, on the next business day<sup>7</sup> following the arrest of an accused, V/WAP will contact the victim and ask her or him to attend at the Provincial Court House located at 279 Wellington Street in Kingston for the purposes of a Bail Safety Interview. The purpose of the interview is to obtain more detailed information from the victim that would be of assistance to the Crown in making decisions on the issue of bail for the accused, including:

- what position to take with respect to the release or detention of an accused in court;
- if the decision is to release the accused, what Orders the Crown should seek to protect the safety of the victim and reduce the prospect of intimidation of the victim by the accused, once the accused is out of custody.

In the interview, the victim will be asked questions about a number of subjects including:

- the specific history of violence in the relationship;

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<sup>5</sup> This is a Pilot Project at this stage.

<sup>6</sup> At time of writing, the Pilot Project applies only to cases investigated by the Kingston Police Service. It is hoped that the Pilot Project will be extended to include cases investigated by three detachments of the Ontario Provincial Police in the Kingston/Frontenac area.

<sup>7</sup> At this time, the Bail Safety Pilot Project has not been implemented on weekends and statutory holidays.

- whether the accused has access to firearms or other weapons;
- whether the accused has issues with substance abuse;
- whether the accused has mental health issues, and
- other fears and concerns of the victim.

The bulk of the interview is conducted by V/WAP and the Police. Where feasible, however, the Crown will meet with the victim briefly to discuss any specific concerns s/he may have and answer any questions s/he may have concerning the bail process and the court process.

The Crown may seek an adjournment of the Bail Hearing in exceptional cases where there has not been sufficient time to conduct the Bail Safety Interview. Absent exceptional circumstances, however, the law presumes that a person charged with an offence is entitled to be released from custody before trial. The Crown may therefore be compelled to proceed in the absence of the Bail Safety Interview, in which case the Crown will rely on information collected by the Police at the scene.

### **c) Interviews and Communication**

The Crown will work cooperatively with V/WAP and the Police to ensure that the victim is kept up-to-date on the development and plans for his or her case.

Interviews with the Crown provide the victim with an opportunity to familiarize herself or himself with the Crown, provide information relevant to the issue of bail, ask any questions that s/he might have regarding the court process, and prepare for trial. They provide the Crown with the opportunity to obtain necessary information from the victim for effective prosecution, to review the victim's evidence, and to ensure that the victim is informed of and prepared for the court process. Reasonable efforts will be made to accommodate the victim when scheduling these interviews.

Crown counsel may interview the victim at various points as the case progresses. More than one interview can take place. Bail Safety Interviews should take place as soon as possible after the accused has been arrested and before the Bail Hearing. Other interviews may be scheduled, including:

- trial or preliminary inquiry preparation interviews;
- interviews to address specific concerns or requests of the victims;
- interviews to discuss requests by defence counsel and issues raised in plea negotiations;
- interviews to obtain the victim's input regarding plea negotiations and/or sentencing submissions

Interviews may be conducted at any time. They may take place several weeks before scheduled court appearances or as late as the morning of the trial.

In most instances, the Crown will meet with the victim in the presence of V/WAP staff, the investigating officer and/or a court officer. Victims and any non-witness support person(s) in attendance at these meetings will be informed that anyone present during the discussion of evidence may be called as a witness.

**d) Assignment of the Case**

Where the accused has been held for bail, the victim's first contact with the Crown Attorney's office will be with the Bail Safety Crown. Once the bail process is complete, or if the accused was released by the Police without being held for bail, the victim will likely have contact with the designated Domestic Violence Crown. The case may also be assigned to a specific Crown for prosecution or may be scheduled into a regular trial court. Whenever possible and appropriate, once the issue of bail has been dealt with, one Crown will remain with the case until its final disposition, particularly when dealing with complex cases involving significant degrees of trauma or especially vulnerable victims.

**e) Resolution of Charges**

In some instances, the Crown may consider accepting a guilty plea to a lesser offence or terminating proceedings without a trial. Whenever possible, the Crown will consult with the victim regarding any such proposed resolutions; however, the Crown does not require the victim's approval to accept a plea bargain or terminate proceedings. Priority consideration will be given to any weaknesses in the case during any decision-making processes relating to plea bargains or terminations.

**f) Decision to Proceed to Trial**

In some instances, victims may become reluctant to proceed to trial; however, the public interest in prosecuting partner abuse is generally perceived to outweigh a victim's reluctance to testify. It is not in the public interest to terminate a prosecution on the basis that the accused has directly or indirectly pressured the victim to either recant their statement or become a reluctant witness. It will be made clear to victims, as often as is necessary, that control of prosecution rests with the Crown, which may vigorously prosecute the charges even if the victim does not wish to go to trial.

**2. Trial Issues**

Various issues may arise during the trial process that demand ongoing attention on the part of the Crown including:

- failure of the victim/witness, who has been subpoenaed, to appear for trial which may result in a warrant being issued for the victim's arrest at the discretion of the Crown
- specific evidentiary issues of interest to the victim, such as the admissibility/inadmissibility of evidence in those instances when the partner abuse involves sexual assault; in these instances, the Crown will advise the victim of her right to claim a privacy interest in relation to counselling records, personal diaries, etc. and direct her to seek independent legal advice, and
- the need and option for a publication ban.

### 3. *Post-Trial Issues*

#### **a) Sentencing**

The Crown will make submissions to the Court on sentencing; victims may be required to appear at a sentencing hearing. The Crown may request various reports prior to making sentencing submissions, including pre-sentence reports and Victim Impact Statements.

The Crown will consider and address the effect of the crime on the victim, the victim's opinion of an appropriate sentence, and the requirements for counselling for the offender as part of any probation order during any sentencing submissions to the Court.

In most instances where significant bodily harm was inflicted, Crown counsel will seek a term of incarceration, the length of which will be determined in consideration of the nature, duration, and severity of the assault. The Crown also has the right to initiate proceedings to have the offender declared a dangerous offender or a long-term offender in cases involving high-risk and repeat offenders.

#### **b) Victim Impact Statements**

The Crown and/or the investigating officer will ensure that V/WAP personnel have informed the victim of her right to make a voluntary Victim Impact Statement (VIS) and provided her with an Information Guide outlining the procedure for completion and submission of such a Statement. Victims will be reminded that the VIS will be disclosed to the offender and will become a public document once it is filed with the Court; as such, it may be used in other forums such as family court. For this reason, unless specifically requested by the Crown Attorney, Victim Impact Statements should not be submitted until the accused has been found guilty; otherwise, the Statement can be used by the defence counsel at trial to cross-examine the victim.

#### **c) Firearms Prohibition/Forfeiture**

The Crown will determine if a firearms prohibition order should be requested in those instances when such an order is not mandatory. If so, the Crown will ensure that relevant information is presented to the Court.

The Crown may also choose to remind the Court of the provision for forfeiture of weapons in the *Criminal Code* under appropriate circumstances.

**d) Appeals**

In the event that the accused's appeal is granted and a new trial ordered, Crown counsel will consult with the victim and consider her position when deciding whether to proceed with a second trial. The Crown will advise the victim of his/her decision regarding a second trial.

The victim will receive updates through V/WAP and/or the police regarding the appeal process, including hearing dates, the outcome of any bail pending appeal hearings and conditions of release, and the outcome of the appeal process.

**ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services received or not received through the Crown Attorney's office can be directed to the Crown Attorney. In the event that the victim is not satisfied with action taken or resolution suggested by the Crown Attorney, she may direct her concerns to the Regional Director of Crown Attorneys, East Region.

## **Probation and Parole Services**

### **INTRODUCTION**

Probation and Parole Services provide supervision and case management services to adult offenders 18 years and older who have been sentenced by the court to a period of community supervision, such as probation or a conditional sentence. Probation and Parole Services also supervise ex-inmates of provincial correctional facilities who are serving part of their sentence on parole in accordance with conditions and requirements identified by the Ontario Parole & Earned Release Board (OPERB). In addition, Probation and Parole Officers (PPOs) prepare pre-sentence reports to assist judges in determining sentences and pre-parole reports to assist the Ontario Parole & Earned Release Board with their decisions about parole releases.

The Kingston Area office serves offenders in the greater Kingston area, as well as in the Napanee, Brockville, Gananoque, Smiths Falls, and Perth communities. Office hours are Monday to Friday, 8:30 a.m. to 5:00 p.m.

In an effort to ensure that accurate and comprehensive information is available when completing risk assessments, preparing reports, and working with partner abuse offenders, Probation and Parole Services addresses the following items in all instances when working with these individuals:

- past criminal convictions for assault of family members, strangers, and/or acquaintances, and past violations of conditional release or community supervision orders
- psycho-social adjustment difficulties in relationships, employment, substance abuse, and psychological/psychiatric disturbances including suicidal and/or homicidal tendencies
- access to firearms, and
- motivation for treatment.

### **OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES**

**(IN RELATION TO VICTIMS)**

#### *1. Court Ordered Reports and Pre-Parole Reports*

When preparing pre-sentence or pre-parole reports, PPOs collect and present comprehensive information about the offender in order to recommend focused, supportable and enforceable conditions. In addition, PPOs clearly indicate if the offender resides with or plans to resume living with the victim of a partner abuse offence (may be in relation to current offence or another recent offence).

Every reasonable attempt is made to contact victims of partner abuse to solicit their input into these reports.

## 2. Case Supervision

Probation and Parole Officers maintain detailed records of all offender contacts when supervising convicted perpetrators of partner abuse living in the community. In addition, officers monitor and document:

- any contact with victims of partner abuse with attention to the victim's stated interest in ongoing contact with Probation and Parole Services, and
- referrals to the Partner Assault Response Program or other counselling services for perpetrators of partner abuse.

In those instances when an offender does not have a condition requiring attendance at counselling for perpetrators of partner abuse, PPOs encourage the offender to self-refer to the Partner Assault Response Program (as described in the Community Support Services section of this Protocol<sup>8</sup>).

## 3. Enforcement

Probation and Parole Officers recognize the serious and often ongoing nature of partner abuse. In keeping with this recognition, officers are extremely vigilant with respect to any indication of subsequent violent or abusive behaviour and/or any other form of non-compliance with conditions outlined in the order/certificate, including but not limited to failure to attend the Partner Assault Response (PAR) Program as a mandated participant. (PAR personnel provide weekly updates to P&P regarding mandated participants' attendance and involvement with the PAR program.)

In the event that officers become aware of new allegations of abuse or violence by the offender, they immediately notify the police and OPERB if applicable.

### **ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services received or not received through Probation and Parole Services can be addressed with the Probation and Parole Officer involved. In the event that the person remains dissatisfied with the resolution offered at this level, s/he may direct their concern to the area manager.

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<sup>8</sup>An overview of the Partner Assault Response (PAR) program can be found on pages 63, 64 and 65 of this Protocol. While many participants in the program are mandated to attend the program by the Domestic Violence Court, the program also accepts self-referrals. Placement of the program description in the Community Support Services section of this Protocol reflects K3C's hope that area service providers will encourage and support self-referrals when working with clients who are violent, abusive, and/or demonstrate coercive behaviours in relation to their intimate partner.

## Child Protection Services

In relation to:

***Children's Aid Society, City of Kingston and County of Frontenac***

### INTRODUCTION

The Children's Aid Society (CAS) is mandated to provide professional child protection services which safeguard children, support nurturing environments, and strengthen families as legislated by and in accordance with the *Child and Family Services Act* (CFSA). The purpose of the CFSA is to promote the best interests, protection, and well being of children.

More specifically, the Society:

- investigates allegations or evidence that children under the age of sixteen years or children in the Society's care or under its supervision may be in need of protection and when necessary, protects these children
- provides guidance, counselling and other services to families designed to ensure the protection of children and/or prevent circumstances resulting in the need to protect children
- provides care for and supervises children assigned to its supervision under the CFSA
- and places children for adoption.

The CAS services are available 24 hours a day, 7 days a week; office hours are Monday to Friday, 8:30 a.m. to 4:30 p.m. Emergency After Hours Services are available when the offices are closed.

### COMMUNITY AND PROFESSIONAL DUTY TO REPORT

Section 72 of the CFSA clearly outlines the duty of public and professional to report if a child is or may be in need of protection and describes in detail what must be reported.

A professional must report reasonable grounds to suspect the following to the Children's Aid Society **directly** and on an **ongoing basis**, meaning they cannot rely on anyone else within their organization to report and they must continue to report additional or new concerns in relation to any given child even if they have made a previous report with respect to the same child:

- physical harm, or risk child is likely to suffer physical harm
- sexual molestation or sexual exploitation, or risk child is likely to suffer sexual molestation or sexual exploitation
- failure to provide required medical treatment
- emotional harm as demonstrated by anxiety, depression, withdrawal, self destructive or aggressive behaviour, or delayed development, or risk of same
- failure to provide treatment required to remedy a mental, emotional, or developmental condition that could seriously impair the child's development

- abandonment
- encouragement given by parent or legal guardian to a child less than twelve years old to commit violent crimes against persons or property, and
- failure to provide appropriate services or treatment to a child less than twelve years old who has committed violent crimes against persons or property.

**The duty to report applies to exposure to or witnessing partner abuse which, in some instances, may result in and/or create the risk of physical injury or emotional harm for some children.** However, admission to Kingston Interval House or involvement with other services and programs for victims of partner abuse does not automatically require that a report be made to the CAS. Professionals are expected to use their judgment when evaluating any given situation in relation to the CFSA. In keeping with directives from the Ministry of Children and Youth Services, the Frontenac Children’s Aid Society and area VAW agencies have participated in a joint protocol development project and joint training initiatives. The protocol development and training initiatives were designed to promote effective and cooperative inter-agency relations and ensure consistent reporting practices. Duty to report in relation to children who have been exposed to partner abuse is a relatively new legal requirement, though CAS workers and anti-violence service providers have been struggling with this issue for several years. Organizations and professionals are encouraged to stay apprised of new developments, precedents, and procedures relating to this aspect of duty to report by maintaining regular contact with the Frontenac CAS.

## OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES

### *1. Response to Reports and Allegations of Abuse*

All referrals to the CAS are screened for the presence of domestic violence. A referral in which the only allegation is exposure to domestic violence does not in itself meet the definition of a child in need of protection under the CFSA. When receiving a report where there is information that describes domestic violence, the child protection worker gathers and assesses information as to how the violence has resulted in, or is raising the risk of abuse or neglect of a child. All initial referrals are universally screened for domestic violence occurrences. The caller is asked to provide basic information as well as information about the child and family’s functioning to assist the child protection worker in assessing the most appropriate response that will meet the child and family’s needs and ensure the child’s safety and well being. Additionally the child protection worker will be asking the person making the referral, to describe supports that may be available already to the family. The decision-making will consider the information, child’s vulnerability, child’s and family’s needs and protective supports, consideration of the Eligibility Spectrum and recommend a response to the information which may include:

- initiating a child protection investigation with a response time in keeping with the level of present or threat to the safety of a child
- reaching out to the family through telephone contact to assist in making a “community link” to another service within the community that will assist the family

- documenting the information but not initiating any direct contact with the family.

The approach to decision making will reflect the revised Child Protection Standards which are expected to be proclaimed on April 2, 2007.

The response and provision of child protection services will include:

**Eligibility spectrum review:** this tool is used to determine how the situations as described might be considered in terms of eligibility for service. Exposure to domestic violence is a risk factor for children especially if it co-occurs with other forms of child maltreatment. Child protection intervention is required when the risk factors present an immediate safety threat or longer term risk of maltreatment or harm. Risk of maltreatment exists on a continuum, from low to high risk. The determination that a child may be in need of protection as a result of exposure to domestic violence is made based on judgment as to risk arising from the adult conflict or exposure to domestic violence. When risk is not assessed as high the child protection worker will usually offer children and their families assistance in contacting voluntary community based assessments and services.

**A safety assessment:** a brief assessment to determine the level of immediate danger to a child. This process leads to a safety decision which includes the identification of interventions currently needed to protect the child. This is completed as part of the first contact with the child and family.

**Risk assessment:** considers the likelihood of future maltreatment of a child. This assessment begins as at the first contact with a family. The assessment is a tool to organize the information to support decision-making about future risk to a child. The information assists the child protection worker in decision-making about further services to the family.

**Assessment of family's strengths and needs:** is a tool that reflects the strengths and resources of each parent and child as well as identifying the needs of each family member. This information supports the development of a service plan that can utilize family strengths and target the areas of need. Information is gathered from the family, those they identify as immediate and extended family members, members of cultural communities such as Band and aboriginal representatives with the objective to gather a full understanding of strengths, needs and supports available to families to reduce the risk to a child and to reduce the need for child protection interventions to address the risk.

## *2. Police Accompaniment*

The Frontenac CAS and local police departments have developed and approved protocols relating to the investigation of allegations of physical and sexual abuse of children. The CAS notifies police services of all such allegations; police officers notify CAS of any reports or allegations brought to their attention. The police may conduct a joint investigation with CAS workers or they may complete an independent investigation at their discretion.

In those instances when a CAS worker is concerned for his/her personal safety, police services will be requested to provide accompaniment.

## *3. Ongoing and Follow-up Services*

Decisions as to need for ongoing child protection service are made based on analysis of the assessments and identification of needs for service or referral to another service in the community. Where service is going to be provided by the CAS a service plan is developed along with the family and community service providers through a case conference or “family centered conference”. The child protection worker will invite community members, service providers and extended family, as all may be available to provide support to the family.

Reassessment following service delivery will occur on a continuing basis and particularly at any time there are significant changes in the family functioning and at least every six months.

## **ACCOUNTABILITY**

The CFSA provides for clients to have their complaints about the services they have received from a CAS heard by an internal complaints panel or responded to directly by the Child and Family Services Review Board. Clients are encouraged to talk with their worker or their worker’s manager about their complaints however this is not required. The client may choose to write directly to the Executive Director requesting that their complaint be heard. In some situations the client may elect to request this review occur directly by the Child and Family Services Review Board.

## Supervised Access Services

In relation to:

### ***The Salvation Army Supervised Access Centre- Kingston/Napanee***

#### INTRODUCTION

The Salvation Army provides a variety of community and family services to residents in the Greater Kingston area including, but not limited to, emergency provision of food and clothing, emergency disaster service, tenant assistance program, summer camps and the supervised access program. Childcare is available for most of the structured programs provided by the Salvation Army.

The Supervised Access Centre - Kingston/Napanee is mandated to provide group supervision to separated or divorced families in those instances when the child/ren are not wards of the Children's Aid Society. The Centre has a stated commitment to providing safe, neutral, accessible locations within the counties of Frontenac and Lennox & Addington for supervised exchanges and supervised visits between children and their parents in those instances when the parents are involved in custody and access disputes.

In most instances, families are ordered by the court to attend at the Supervised Access Centre; however, the Centre also accepts referrals from lawyers for the parties, the Office of the Children's Lawyer, and self-referrals in those instances when both parties consent to the service provided.

More specifically, the Centre:

- strives to provide a safe, neutral, child-focused setting for visits and exchanges between children and non-residential parents/family members
- strives to ensure the safety of all participants, including staff members
- provides trained staff and volunteers who are sensitive to the needs of parents and children
- provides constant supervision during visits and exchanges, and
- provides the courts and/or lawyers with factual observations about a participant's use of the service.

Office hours are Tuesday to Friday 10:00 a.m. to 4:00 p.m. Direct service hours may vary from site to site and include weekday and weekend, daytime and early evening hours. Telephone messages may be left after hours; messages will be answered by the Coordinator in consideration of the urgency of the matter.

## OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES

### *1. Intake Interviews*

Upon referral to the program, both parties are required to contact the Coordinator to set up an intake interview prior to any exchanges or visitations. Parents will be given specific instructions about documentation required for the intake process: for example, the custodial party is asked to bring health card numbers for all children who will be visiting at the centre. In those instances when the Coordinator is aware one of the parties has been a victim of partner abuse, additional detailed information will be solicited with priority attention to safety and risk assessment. Similarly, if partner abuse is disclosed during the intake interview, the Coordinator will collect additional relevant information.

The terms of the exchanges and/or visits are determined along with acceptance into the program during the intake process. Custodial parents will be asked to confirm any specific conditions or limitations needing to be applied to visits with the non-residential parent, including but not limited to permission for the child/ren to receive gifts, permission for photographs to be taken during visits, and permission for other family members or friends to participate in scheduled visits.

To facilitate the comfort of the child/ren, the custodial parent and child/ren are encouraged to attend an orientation at the designated visit site prior to the first visit or exchange.

### *2. Exchanges and Visits*

**Supervised Exchanges:** Each centre provides a place where child/ren and parent exchanges can take place for off-site visits. Parents arrive at staggered times and do not have contact with one another. Supervision is provided only at the time the child/ren is/are being exchanged. Exchanges may be cancelled if staff suspects either party is under the influence of drugs or alcohol.

**Supervised Visits:** Each site provides a safe, comfortable, child-focused environment for on-site supervised visits with non-custodial parents/family members. Staff provide constant supervision throughout the entire visit. Visiting parents/family members are required to comply with a variety of program guidelines during visits, such as refraining from discussing the custodial parent and/or any legal procedures involving the family, refraining from whispering and refraining from the use of physical discipline. Visits may be cancelled if staff suspects either party is under the influence of drugs or alcohol.

Visits may be terminated by staff in the event that either party does not comply with these program guidelines.

The following procedures and requirements apply to both exchanges and visits:

- parents are required to provide their own transportation to and from the designated site
- arrival and departure times for each parent are staggered up to 15 minutes
- the non-residential or visiting parent is required to arrive up to 15 minutes prior to the exchange or visit and remain on-site up to 15 minutes following the exchange or visit

These procedures ensure that parents/family members do not have any direct contact with one another during exchanges or visits.

Visits or exchanges may be scheduled weekly, bi-weekly, monthly, or whenever needed in accordance with the “spirit of the court order” and in consideration of the availability of staff and facilities. Participants are encouraged to contact staff well in advance of the planned exchange or visit in order to set up specific times and confirm site and staff availability.

Centre staff make every reasonable effort to respect and protect children while fulfilling the requirements of any exchange/visitation order. For example, staff do not force visits on children who refuse to meet with a parent and parents may not force physical contact of any kind on their child/ren during exchanges or visits. In accordance with the law, Frontenac Children’s Aid Society is contacted whenever staff suspect abuse of either parent.

All exchanges and visits are monitored and documented through observation notes. Parents or their legal representation may request a summary report of these observation notes for an additional fee.

#### **ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services received or not received through the Supervised Access Centre-Kingston/Napanee can be directed to the Supervised Access Centre Coordinator. If necessary, the concern may be directed to the Director and ultimately to the funding body for the program, the Office of the Ministry of the Attorney General.

**SHELTER SERVICES**

## **CONTACT INFORMATION**

*In order as listed in the Protocol*

Kingston Interval House

Business Lines: 613-546-1833; 613-546-4136

Crisis Line: 613-546-1777  
1-800-267-9445

## Shelter Services

In relation to:

### ***Kingston Interval House***

#### INTRODUCTION

Kingston Interval House (KIH) is a 25-bed shelter mandated to provide emergency, transitional shelter, supportive counselling, information and resources, referrals, and practical support to abused women and their children. All services are confidential, are accessed on a voluntary basis, and are provided at no cost. KIH is committed to inclusivity, equity, and respecting the broad diversity among women who have experienced violence.

More specifically, Kingston Interval House provides:

- telephone crisis support, information, and referrals to women living with and/or recovering from partner abuse (local: 613-546-1777; and 1-800-267-9445)
- safe, temporary shelter
- practical assistance to women, such as transportation to the shelter, assistance organizing school enrolment and transportation, and safety alarms<sup>9</sup> for women living in the community in high-risk situations
- emotional support, information, advocacy, and referrals to appropriate services for women and children with priority attention to supporting women in their efforts to understand and clarify their options and to increasing women's understanding of issues relating to their children such as parenting, non-violent discipline, custody and access, and impact issues for children exposed to partner abuse
- access to legal information and counselling through two-hour legal forms, Legal Aid, and the Danielle Duchesneau Fund<sup>10</sup>
- individual and group counselling to women living at the shelter and in the community
- accompaniment to legal or medical appointments, court, or social services in accordance with available resources, and
- emotional support, age-appropriate recreational and educational activities, and individual and group counselling for children exposed to partner abuse living at the shelter and in the community.

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<sup>9</sup>KIH has safety alarm units available for use by women at risk living in the community; this service is available to women on a first-come, first-served basis.

<sup>10</sup>Women who have experienced violence are eligible to receive a designated amount of money to assist with costs relating to legal and/or safety issues. Applications for funds are available at KIH.

Crisis intervention and shelter services are available 24 hours a day, 7 days a week; children's services and community-based outreach services are available at designated times.

Kingston Interval House accepts self-referrals as well as referrals from other organizations. In those instances when an agency contacts KIH on behalf of a woman, it is common practice for shelter staff to ask to speak directly to the abused woman in order to obtain and provide information firsthand and to reinforce the voluntary nature of services provided by the shelter. Women may seek shelter and/or use the other services available through KIH, such as the crisis line, as often as necessary. There are no restrictions on the number of times a woman may call or stay at KIH.

KIH staff also organizes and/or participate in a wide variety of prevention and public education initiatives designed to increase public awareness and understanding of issues relating to violence against women and children.

## **OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES**

### *1. Crisis Response Services*

When a woman contacts KIH, the counsellor directs priority attention to her safety and any immediate medical needs.

Questions pertaining to the woman's location, the assailant's location, possible physical injuries, and the need for immediate medical and/or police intervention are used to determine if emergency assistance is required. If so, the woman is encouraged to call 911 or, alternately, the counsellor will contact 911 on behalf of the woman.

If there is no immediate emergency, the counsellor will offer emotional support, information, and referrals in accordance with the concerns and needs of the woman and with attention to the range of options and choices available to her, including but not limited to the option to come to KIH for additional information and support and/or to stay. If the woman expresses an interest in coming to the shelter, any necessary transportation arrangements will be made.

### *2. Shelter Services*

KIH provides secure, temporary shelter to abused women and their children; length of stay may range from less than 24 hours to eight (8) weeks or longer depending on the specific needs of the woman and her children. KIH currently has **two** wheelchair accessible bedrooms. The first floor is accessible and the basement and second floor can be accessed by stair lifts.

In the event that KIH is unable to accommodate a woman who has been abused for any reason, such as lack of space, every effort will be made to arrange for alternate secure shelter at another organization, such as Lennox & Addington Interval House (Napanee). KIH will arrange and pay for transportation to the alternate shelter if necessary.

Women living at KIH are expected to comply with a variety of house rules and guidelines designed to support non-violent cooperative living; these rules and guidelines are explained during the intake process and as necessary throughout the woman's stay.

While residing at KIH, women have access to crisis intervention, supportive counselling, and information services 24 hours a day, 7 days a week. Counsellors work cooperatively with residents to help them identify, understand, and address their specific needs with priority attention to their safety and to recognizing their strengths, skills, and internal resources. KIH has a protocol agreement with the Kingston Humane Society for the provision of free temporary shelter for a family's pets for the duration of the woman's stay at KIH.

Women who have lived at the shelter and who, upon leaving, remain in a high-risk situation may be eligible for a Bell Mobility cell phone program.

Children's Services Workers provide emotional support and information to children living at KIH. Children may participate in a variety of age-appropriate recreational and educational activities during their stay.

Shelter staff work cooperatively with other emergency personnel and service providers involved with a woman and her children within the constraints of their commitment to confidentiality and in accordance with the policies and procedures of the organization. For example, KIH and the Limestone District School Board have developed and adopted a protocol for the transportation and education of children residing at the shelter.

### *3. Follow-Up and Outreach Services*

Individual and group counselling is available to women and children exposed to violence with priority attention to safety planning, dynamics of power and control and other issues relating to partner abuse, and transition to a violence-free life.

An outreach program specific to the needs of Aboriginal women is also available; this program provides all the same outreach services in keeping with Aboriginal teachings.

We also provide resources and outreach services in the French language.

Outreach services **also** include support, information and resources, referrals, advocacy and accompaniments to family and criminal court proceedings.

## **ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services received or not received through Kingston Interval House are addressed by the Executive Director; any complaints involving the Executive Director are addressed by the Board of Directors. Any such complaints are addressed in compliance with the written policies and procedures of the organization.

### *Additional Shelter Services for Victims*

Brief descriptions of other non-secure shelter services administered by organizations who are not signatory agencies, such as Dawn House Women's Shelter, can be found in Appendix Four.

**CRISIS RESPONSE SERVICES**

## CONTACT INFORMATION

*In order as listed in the Protocol*

Frontenac Victim Crisis Assistance & Referral Service 613-548-4834

Land O' Lakes Community Services – 613-336-8934, business line  
North Rural Women's Program 613-336-8937, crisis line  
1-877-679-6636, toll-free crisis line

Sexual Assault/Domestic Violence Program. – K.G.H. 613-549-6666 ext.4880  
*Crisis – Present to hospital emergency department and ask to see "SA/DV nurse on call."*

Sexual Assault Centre Kingston Office: 613-545-0762  
Crisis line: 613-544-6424  
1-877-544-6424

## **Crisis Response and Referral Services**

In relation to:

***Frontenac Victim Crisis Assistance & Referral Service***

***Land O' Lakes Community Services***

***Sexual Assault/Domestic Violence Program – Kingston General Hospital***

***Sexual Assault Centre Kingston***

### **INTRODUCTION**

There are a variety of crisis response, information, and referral services available to victims of partner abuse in Kingston and Frontenac County. Services provided by signatory partner agencies are described in this section of the Protocol; brief descriptions of other crisis intervention and support services available to victims of partner abuse in Kingston and area can be found in Appendix Four.

### ***Frontenac Victim Crisis Assistance & Referral Service***

Victim Crisis Assistance & Referral Service (VCARS) is a community response program funded through the Victims' Justice Fund from surcharges on fines imposed by the courts. These funds are administered by the Ontario Victim Services Secretariat, Ministry of the Attorney General.

VCARS is mandated to provide immediate on-site service to victims of crime, tragic circumstance, or disaster; approximately 10% to 15% of all calls received by Frontenac Victim Crisis Assistance & Referral Services are from or relate to victims of partner abuse. The Frontenac VCARS accepts self and agency referrals during regular office hours, as outlined below; referrals from police and other emergency service personnel are accepted 24 hours a day, 7 days a week. With the consent of a victim, police officers call on VCARS to send a team of trained volunteers to provide on-site, short-term assistance to victims and make referrals to community agencies for longer term assistance.

All services provided through Frontenac VCARS are accessible to victims on a voluntary basis and at no cost. All services are confidential.

More specifically, VCARS:

- provides telephone crisis support, emotional support, information, and referrals to victims of crime
- provides practical assistance, such as transportation and accompaniments, to hospitals, shelters, and police stations in Frontenac County

- provides ongoing support and information to victims involved in investigative or court processes in consultation and cooperation with the Victim Witness Assistance Program
- advocates on behalf of victims of crime, tragic circumstance, and disaster as necessary.

These services are available 24 hours a day, 7 days a week through referral by emergency services, such as the police; office hours are Monday to Friday, 8:30 a.m. to 4:30 p.m. Self-referrals are accepted during regular office hours only.

## OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES

### *1. Crisis Response Services*

When a victim of partner abuse is referred to or contacts Frontenac VCARS, the responding staff member or volunteer directs priority attention to the immediate physical safety of the caller.

Questions pertaining to the caller's location, the assailant's location, possible physical injuries, and the need for immediate medical and/or police intervention are used to determine if emergency assistance is required. If so, the caller will be encouraged to call 911 or, alternately, VCARS personnel will contact 911 on behalf of the caller.

In the event that medical or police services are required, VCARS personnel will offer transportation and/or accompaniment services to the hospital or police station. If there is no immediate medical emergency and the caller wishes to leave her residence, VCARS personnel will offer transportation and/or accompaniment to Kingston Interval House or Dawn House.

If there is no immediate emergency or risk and the caller does not wish to leave her residence, VCARS personnel will offer emotional support and information with priority attention to exploring issues relating to the cycle of violence, the dynamics of power and control within an abusive relationship, the impact of violence on victims and their children, and appropriate safety planning. Referrals to Kingston Interval House, community-based counselling, and, in those instances when charges have been laid, Victim/Witness Assistance Program, will be given; however, VCARS personnel will make every effort to respond to the immediate needs and concerns of the caller in addition to offering options for additional support and assistance.

### *2. On-site Visits and Accompaniments*

In those instances when **police respond to a domestic incident** and determine that the victim might benefit from immediate, on-site support, the responding officers will request permission from the victim to contact VCARS and arrange for an on-site visit. VCARS staff or volunteers will meet with a victim at her residence, the police station, the hospital, or any other location that is identified by the responding officers as appropriate and safe.

VCARS staff and volunteers will attend at a victim's residence only in those instances when the responding officers confirm that:

- the suspect is in custody
- the suspect is not an imminent risk to the safety of the staff member/volunteer, and/or
- the officer(s) will be remaining on-site.

In the event that the accused returns home while VCARS personnel are visiting on-site, the staff member or volunteer will immediately leave the residence regardless of the behaviour or actions of the accused and with or without the victim.

In the event that the victim remains in the home and VCARS personnel have reason to believe she may be in any danger, they will contact 911 upon leaving the home and request police assistance.

In the event that the victim remains in the home and the accused is not threatening and/or expresses a desire to "talk" or seek counselling, VCARS personnel will provide appropriate referral information to the accused prior to leaving the residence and will notify the police of the accused's stated interest.

In the event that the victim leaves with VCARS personnel, she will be offered transportation to a safe location, such as Kingston Interval House.

VCARS personnel will not provide on-site mediation services to victims and their partners or on-site supportive counselling to abusive partners.

VCARS staff or volunteers will provide court accompaniment services to victims of partner abuse when asked to do so and/or with the approval of the Victim/Witness Assistance Program.

### *3. Follow-Up Services*

After the initial crisis intervention, Frontenac VCARS will provide additional support, information, and referrals to victims of partner abuse at their request. Priority attention will be directed toward providing appropriate referrals for longer term support during any follow-up contact with victims.

## **ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services received or not received through Frontenac VCARS are addressed by the Executive Director; any complaints involving the Executive Director are addressed by the Chair of the Board of Directors. Complaints are addressed in compliance with the written policies and procedures of the organization.

### ***Land O' Lakes Community Services – North Rural Women's Program***

Land O' Lakes Community Services (LOLCS) in Northbrook is a multi-service organization ensuring an array of coordinated community-based social services to the rural residents of northern Lennox and Addington County and parts of northern Frontenac County. More specifically, LOLCS administers the North Rural Women's Program.

The North Rural Women's Program provides mobile outreach for victims of woman abuse who are 16 years of age or more. Services are available in northern Frontenac County from Verona to Plevna; and in northern Lennox and Addington County from Tamworth to Denbigh. Office space is maintained in Northbrook at LOLCS with a satellite office in Sharbot Lake at Northern Frontenac Community Services. Services may also be provided in a variety of safe locations throughout the extensive catchment area of the program.

More specifically, the North Rural Women's Program:

- provides telephone crisis support, emotional support, information, and referrals to victims of current or past partner abuse (613-336-8937/ 1-877-679-6636) during office hours
- provides practical assistance, such as transportation and accompaniments to hospitals, shelters, and police stations
- accompanies and assists victims through legal processes including but not limited to interviews with police officers for the purpose of giving a statement and criminal and family court appearances
- provides safety planning services to victims of woman abuse, and
- provides ongoing individual and group counselling services to victims of woman abuse.

Office hours are Monday to Friday, 9:00 a.m. to 4:30 p.m. Efforts are made to accommodate individuals requiring appointments after regular office hours. Crisis line intervention and support services provided by staff are available during regular office hours; after hours crisis calls are redirected to the women's shelters in the area.

Presentations on the program and early intervention education strategies are provided to community groups and area schools by North Rural Women's Program staff.

### **OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES**

#### *1. Crisis Response Services*

When a victim of partner abuse contacts the North Rural Women's Program on the crisis line during office hours, the responding staff member directs priority attention to the immediate physical safety of the caller. In the event that the caller identifies a need for emergency medical or police intervention, she will be encouraged to call the appropriate emergency service or, alternately, Land O' Lakes personnel will contact the necessary service on her behalf and with the permission of the caller.

In the event that medical or police services are required, North Rural Women's Program personnel will offer transportation and/or accompaniment services to the hospital or police station. If there is no immediate medical emergency and the woman wishes to leave her residence, she will be offered transportation and accompaniment services to Kingston Interval House, Lennox and Addington Interval House or alternate safe shelter.

If there is no immediate emergency or risk and the caller does not wish to leave her residence, North Rural Women's Program personnel will offer emotional support and information with priority attention to safety planning, options, and choices available to the caller for ongoing support and assistance. Referrals to appropriate social services for economic assistance, housing, and counselling will be given. North Rural Women's Program personnel, however, will first make every effort to respond to the immediate needs and concerns of the caller in addition to offering options for additional support and assistance.

### *2. Accompaniments*

North Rural Women's Program personnel will not go to the caller's home or the scene of an assault without police accompaniment.

North Rural Women's Program personnel will meet a caller at a neutral, safe location, such as one of the offices maintained by the agency or the OPP station, and provide transportation and accompaniment services to hospitals, police stations, or area shelters.

### *3. Follow-Up Services*

After the initial crisis intervention, North Rural Women's Program personnel will provide additional support, information and referrals to victims of woman abuse at their request, including but not necessarily limited to the individual and group counselling services available through North Rural Women's Program in Northbrook and/or Sharbot Lake; and the other programs available at Land O' Lakes Community Services (as described in the following section of this Protocol) and Northern Frontenac Community Services (as described in the following section of this Protocol).

## **ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services received or not received through Land O' Lakes Community Services are addressed by the Director of Programs. Any such complaints are addressed in compliance with the written policies and procedures of the organization.

### *Additional Crisis Line Services for Victims*

Brief descriptions of other crisis response and referral services administered by organizations who are not signatory agencies, such as the Sexual Assault Crisis Line, are found in Appendix Four.

## **Sexual Assault/Domestic Violence Program – Kingston General Hospital**

### **INTRODUCTION**

The Kingston General Hospital Sexual Assault/Domestic Violence Program (SADV) Program provides 24-hour, 7-day-a-week emergency medical and nursing care, testing and treatment for sexually transmitted infections, pregnancy and HIV, forensic evidence collection and documentation, crisis counselling, safety planning, medical and social work follow-up to individuals who have recently been sexually assaulted or assaulted by an intimate partner.

As a member of the Ontario Network of Sexual Assault/ Domestic Violence Treatment Centres, the Program is committed to the following values: collaboration, advocacy, respect, accountability, equality, diversity and awareness.

### **OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES**

Service is tailored to meet individual need, is at no cost to the client, is confidential, and has no waiting list.

Clients are encouraged to present to the KGH Emergency Department or their nearest hospital emergency department and ask for the “SA/DV nurse on call”.

Individuals are triaged and medically cleared, then escorted by the SA/DV nurse to a confidential and distinct treatment room for the exclusive use of this Program.

Service options include:

- medical and nursing care
- medical treatment of injuries
- testing and treatment of sexually transmitted infections/pregnancy/HIV
- forensic evidence collection and documentation in the form of the Sexual Assault Evidence Kit and forensic photography
- crisis support/safety planning
- social work follow-up services
- follow-up nurse services
- coordination with and referrals to community partners
- public education

A specialized SA/DV nurse will respond to calls 24 hours a day, 7 days a week, in a timely manner.

The adult eligibility criteria includes:

Ages 16 and older:

Sexual assault within the past 72 hours

Intimate partner assault within 3-4 days or if the physical injuries are still present

The paediatric eligibility criteria includes:

Ages 0-15 years

Sexual assault/sexual abuse with no time frame

In addition to the 24-hour-a-day, 7-day-a-week access to a SA/DV nurse, a paediatric clinic is hosted on a weekly basis to address chronic, suspected, or historic sexual abuse (> 72 hours) through a multi-disciplinary team consisting of a paediatrician, SA/DV nurse, and SA/DV social worker.

#### *Follow-Up Services*

The KGH SA/DV Program offers an extensive follow-up opportunity through the availability of a follow-up nurse and social worker.

The follow-up nurse will:

- re-evaluate injuries
- document late-developing bruising
- address further tests/cultures to assess for resistant infections
- offer support, information and education regarding medications
- facilitate the HIV Post Exposure Prophylaxis

The social worker will:

- offer services in the “environment of choice”: home, community, hospital setting
- offer counselling/emotional support
- assess support network and develop safety plan
- identify coping strategies/coping mechanisms
- refer and co-ordinate service with community partners

Hours of operation are 24 hours a day, 7 days a week

The SA/DV nurse will travel to Lennox and Addington County Hospital so that clients are not asked to leave their home community. This feature applies to adult victims only (16+).

Those who meet eligibility criteria should go to the Kingston General Hospital Emergency Department and request the SA/DV nurse on call.

In order to ensure rapid and consistent service, memorandums of understanding have been developed with Hotel Dieu, Providence Continuing Care Centre, Lennox and Addington County General Hospital, and a number of community partners.

#### **ACCOUNTABILITY**

Feedback is always welcomed and may be directed to the Manager of the Sexual Assault/Domestic Violence Program.

## **Sexual Assault Centre Kingston**

### **INTRODUCTION**

The Sexual Assault Centre Kingston (SACK) is mandated to:

- provide emergency, crisis, short-term and long-term supportive counselling, and information, referral, and advocacy services to survivors of sexual violence
- organize, participate in, and/or support public education initiatives and community events designed to increase individual and community awareness of issues relating to violence against women and children, and
- advocate for social change which will contribute to the eradication of violence against women and children.

### **OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES**

SACK staff recognize that many victims of partner abuse experience sexual violence within their intimate relationships. Crisis intervention and short- and long-term counselling services are available to victims of partner abuse who have experienced sexual violence.

Staff members and volunteers direct priority attention to a woman's safety when providing crisis intervention services. Referrals and transportation to Kingston Interval House, the hospital, and the police station will be offered when appropriate and necessary. Accompaniment services are available to women who have experienced a recent sexual assault, regardless of the identity of their assailant.

SACK also provides a variety of information packages to community agencies and individuals, including packages on partner abuse, relationship violence, and violence in lesbian relationships. These packages can be picked up at the Centre or mailed to interested women upon request. A variety of books and videos on violence against women and children are available for loan from the resource library at the Centre.

Office hours are Monday to Thursday, 9:00 a.m. to 4:30 p.m., and Friday by appointment only. The Sexual Assault Centre provides a 24-hour-a-day, 7-day-a-week crisis line service to victims and survivors of sexual violence.

Services provided are confidential and available free of charge.

### **ACCOUNTABILITY**

Complaints or concerns about the quality or nature of services received or not received at SACK are dealt with in accordance with a written client complaint procedure. Formal complaints are directed to the Executive Director for investigation.

**COMMUNITY SUPPORT SERVICES**

## **CONTACT INFORMATION**

*In order as listed in the Protocol*

|   |   |
|---|---|
| K3C Community Counselling Centres                                 | 613-549-7850  |
| Land O' Lakes Community Services –<br>North Rural Women's Program | 613-336-8934, business line<br>613-336-8937, crisis line<br>1-877-679-6636, toll-free crisis line |
| Northern Frontenac Community Services                             | 613-279-3151  |
| Social Housing Registry of Kingston and Frontenac                 | 613-546-2695  |
| Ontario Works, City of Kingston                                   | 613-546-2695  |

## Counselling and Support Services

In relation to:

***K3C (formerly Kingston Community Counselling Centre)  
Land O' Lakes Community Services***

### INTRODUCTION

There are a variety of community-based counselling and support services available to victims of partner abuse in Kingston and Frontenac County. Services provided by signatory partner agencies are described in this section of the Protocol; brief descriptions of other counselling and support services available to victims of partner abuse and their children in Kingston and area can be found in Appendix Four.

The services described in this section of the Protocol are part of a broad-based service net for victims of partner abuse and their children; they serve to complement and supplement the law enforcement, justice, crisis response, and shelter services described elsewhere in this Protocol. The services described below are available to victims of partner abuse on a voluntary basis and, unless otherwise noted, at no cost to the victim.

### ***K3C Community Counselling Centres***

K3C Community Counselling Centres (K3C) is an accredited Family Service Agency which provides an array of culturally-sensitive social services, counselling, and support to residents living in Kingston, Frontenac County, and Lennox & Addington County, including but not limited to individual and group counselling, safety planning, and advocacy to women who have been involved in abusive domestic relationships, and accountability and education services to perpetrators of partner abuse. Office space for agency staff is maintained in Kingston, Sydenham and Verona.

More specifically, the **Women's Program** administered by K3C:

- provides supportive, short-term individual and group counselling services to women who are dealing with issues relating to past or current abuse experienced within their intimate relationship(s)
- provides safety-planning services to women who have experienced partner abuse, with priority ranking given to women assessed to be in immediate danger or high-risk situations

- offers information, referral, and individual advocacy services to women who have experienced partner abuse with priority attention to clarifying options and choices and supporting women in their efforts to re/discover their strengths and re/gain control over their lives, and
- accompanies women to court or legal appointments as schedules allow.

More specifically, the **Partner Assault Response (PAR) Program** administered by K3C:

- provides safety planning, information, individual advocacy, and support services to victims of partner abuse following the court-referral or self-referral of their perpetrators to the PAR program, and
- promotes accountability and education for perpetrators of partner abuse through group intervention with priority attention to myths and misconceptions about partner abuse, issues of power and control, and de-constructing perpetrators' self rationalizations for violence.

Staff involved in Intake Services, the Women's Counselling Program, and the Partner Assault Response Program work together to ensure that victims of partner abuse are aware of the various services available through K3C with priority attention to confidentiality and safety planning.

Office hours are Monday to Friday, 9:00 a.m. to 5:00 p.m.; evening appointments are available as negotiated between counsellors and clients.

Staff involved in the Women's and PAR Programs provide public education presentations and workshops on topics related to partner abuse and healthy relationships; in addition, they work cooperatively with other anti-violence organizations to help end violence against women.

## **OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES**

### *Women's Program*

#### *1. Intake Services*

Intake workers speak with women when they first contact the agency to identify and respond to the specific concerns and needs of the caller with priority attention to an assessment of her immediate risk and safety planning. Information and referrals to a variety of possible and appropriate community services will be offered, including the option to meet with a counsellor from the Women's Program. As noted above, priority ranking for contact with a counsellor from the Women's Program is given to women assessed to be in immediate danger or in high-risk situations.

## *2. Individual Counselling Services*

Short-term individual counselling, approximately six to eight sessions, is available to women who are or who have been victims of partner abuse. Ongoing priority attention to safety planning is maintained throughout the counselling process.

Counsellors provide support, encouragement, validation, and information to women in an effort to:

- challenge any beliefs, messages, or learning that condone or perpetuate the victimization of women and increase understanding of the dynamics of abuse and violence in intimate/domestic relationships
- decrease isolation
- increase awareness and understanding of rights, options, and choices
- increase awareness and understanding of impact issues for children exposed to partner abuse
- broaden the supports available to women living with violence, and
- support women in their efforts to identify, understand, and effectively deal with their concerns, thoughts, and feelings.

Referrals to other services available through K3C, such as group counselling for victims of partner abuse, and other community services, such as Kingston Interval House, are offered as necessary throughout the counselling relationship.

## *3. Group Counselling Services*

A variety of group counselling services are available to women who are or who have experienced partner abuse, including:

- initial intervention groups designed to decrease isolation, provide women with an opportunity to share their experiences and feelings with other women, and provide information about partner abuse and healthy relationships, and
- second stage groups designed to address specific issues in more depth, such as developing self esteem, learning to live without violence, and dealing with change.

## *Partner Assault Response Program*

### *1. Services to Perpetrators*

Perpetrators of partner abuse involved in same-sex or heterosexual relationships may be referred to the PAR Program by the Domestic Violence Court or, alternately, perpetrators may self-refer to the Program. Perpetrators must sign a release form to allow contact with their partners/victims in order to participate in the program. Voluntary clients can also participate in the program, as space permits. These are individuals who are not currently involved with the police or criminal court but who are seeking support and assistance before the abuse begins or escalates.

A sixteen week group, co-facilitated by a male and female facilitator, is available to perpetrators. The group is designed to promote accountability and education through group discussion and exploration of several “key topics” including but not limited to:

- causal factors of abuse and violence
- challenging myths about partner abuse
- the dynamics of power and control in abusive relationships
- behaviour management strategies, and
- de-constructing offenders’ self rationalizations for violence and abuse.

The PAR Program adopts a feminist analysis of violence against women. Efforts are made to ensure that all practices and procedures reflect and reinforce this analysis, including maintaining a priority commitment to victims’ safety and directing care and attention to language used when discussing partner abuse.

In keeping with the program’s priority commitment to victim’s safety, PAR program staff maintain regular contact with Probation & Parole Services in relation to all program participants who have been mandated to attend the program by the Domestic Violence Court.

## *2. Partner Contact Program*

As noted above, perpetrators involved with the PAR Program are required to sign a release to allow contact with their partners/victims. Partners/victims receive an information package by mail and a follow-up telephone contact from Partner Contact Program staff after their perpetrator has been enrolled in the PAR Program.

Partner Contact Program staff explore each victim’s interest in voluntary participation in the Women’s Program as described above - i.e., short-term individual and/or group counselling services.

PAR Program facilitators and Partner Contact Program staff direct care and attention to issues of confidentiality and victim safety during all service planning discussions.

## **ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services received or not received through K3C are addressed initially with the staff person involved; in the event that the client is dissatisfied with any resolution offered during her conversation with the staff member, she may meet with the Program Coordinator or the Executive Director, or, alternately, she may submit a written complaint to the Executive Director. The Executive Director works cooperatively with the client and involved personnel to resolve the issue in accordance with agency policies and procedures. In some instances, the complaint may be forwarded to the Board of Directors, appropriate professional associations, and/or the police depending on the severity and nature of the complaint.

## ***Land O' Lakes Community Services***

Refer to Crisis Response & Referral Services section, pages 52 to 54, for an overview of Land O' Lakes Community Services – North Rural Women's Program and a description of the crisis response, accompaniment, and follow-up services available through this organization.

### **OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES**

#### ***1. Individual and Group Counselling Services***

North Rural Women's Program offers supportive individual and group counselling services to women survivors of violence. Interventions are designed to assist survivors in their efforts to clarify and understand their options and choices, to encourage survivors to re/discover their strengths, and to help women re/gain control over their lives. Priority attention to safety issues and safety planning is maintained throughout individual or group counselling processes.

### **ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services received or not received through Land O' Lakes Community Services are addressed by the Director of Programs. Any such complaints are addressed in compliance with the written policies and procedures of the organization.

## ***Northern Frontenac Community Services***

Northern Frontenac Community Services (NFCS) in Sharbot Lake is a multi-service agency ensuring a range of coordinated community-based social services to the rural residents of Central and North Frontenac Townships.

NFCS provides counselling, transportation, community drop-ins, and mobile outreach services for adults, families, children, seniors, and developmentally challenged individuals. NFCS also provides office space for other co-located agencies and programs such as Ontario Works, Ontario Disability Program, Frontenac Children's Aid Society, Kairos, Options for Change, and North Rural Women's Program.

### **OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES**

#### ***1. Individual and Group Counselling Services***

More specifically, the North Rural Women's Program of Land O' Lakes maintains a satellite office at NFCS (refer to Crisis Response and Referral section for an overview of this service) and provides crisis intervention, supportive counselling, advocacy, referrals, legal accompaniment and mobile outreach to women survivors of violence. Interventions are designed to assist

survivors in their efforts to clarify and understand their options, to re/discover their strengths, and re/gain control over their lives. Priority attention to safety issues and safety planning is maintained throughout individual and/or group counselling processes.

## *2. Individual and Group Counselling Services*

More specifically, the Aboriginal Outreach Program of Kingston Interval House provides a healing circle and individual counselling to women of Aboriginal descent on Mondays at NFCS. The Aboriginal Community Counsellor will help women to identify and access supports and housing, as well as providing liaison with other community support agencies to coordinate services. Priority attention to safety issues and safety planning is maintained throughout.

### **ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services may be directed to the Executive Director of Adult Services.

### *Additional Counselling and Support Services for Victims*

Brief descriptions of other counselling and support services administered by organizations who are not signatory agencies, such as HIV/AIDS Regional Services, can be found in Appendix Four.

## Housing

In relation to:

### ***Social Housing Registry Program, City of Kingston***

#### **INTRODUCTION**

The Social Housing Registry is a program managed by the Department of Community and Family Services, City of Kingston. In October 2001, social housing was downloaded from the Province to the Service Manager, City of Kingston, pursuant to the Social Housing Reform Act, 2000 and corresponding regulations. Under the legislation, within one year from date of transfer of social housing to municipalities, a centralized waiting list had to be established. The Registry has been operational since October 1, 2002.

The Social Housing Registry Program manages the centralized waiting list for rent-geared-to-income assistance (subsidized housing) for 17 housing providers in Kingston and Frontenac. Not all providers transferred under the legislation are required to participate in the centralized waiting list, some do so voluntarily.

The waiting list works on a chronological basis, with two priorities. The first priority is legislated and is called Special Priority. This priority is reserved for victims of abuse. Applicants eligible for special priority status are ranked at the top of the waiting list. The other priority is a local priority for homeless individuals. One in ten vacancies is offered to households eligible for homeless priority. The Social Housing Registry does not make offers of accommodation to eligible applicants. Housing Providers manage their own vacancies and make their own offers to applicants as per legislation and local policy. The wait for housing is dependent on many things including bedroom size required, area of preference and vacancy turn-over. It is difficult to estimate how long it may take to be housed. Waits can vary from two months to more than five years.

In addition to the Registry, there are three Access Points. Applications can be obtained and dropped off at any of these locations:

Social Housing Registry Program  
362 Montreal Street, First Floor  
Kingston, ON K7K 3H5  
Ph. 613-546-2695

Urban Access Point, Housing Help Centre  
428A Barrie Street  
Kingston, ON K7K 3T9  
Ph. 613-531-3779

Rural Access Point  
Loughborough Housing Corporation  
4377 William Street, Box 400  
Sydenham, ON K0H 2T0  
Ph. 613-376-3686

Rural Access Point  
North Frontenac Non-Profit Housing Corp  
1093 Garrett Street  
Sharbot Lake, ON K0H 2P0  
Ph. 613-279-3322

Office hours of the Registry are Monday to Friday, 8:30 a.m. to 4:30 p.m., closed from 12:00 noon to 1:00 p.m. There are no services or supports available after hours as the Housing Registry manages a wait list and does not offer emergency services. Forms and further information are available on the Registry's website at [www.socialhousingregistry.ca](http://www.socialhousingregistry.ca)

## OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES

### *1. Priority Ranking for Victims of Partner Abuse*

Under the ***Social Housing Reform Act*** (2000) and corresponding regulations, victims of partner abuse may qualify for special priority status on the waiting list for rent-geared-to-income housing assistance. The special priority status is reserved for individuals who are or have been abused by another household member. For the purpose of this special priority status, abuse is defined as an incident of physical or sexual violence against an individual, an incident of intentional destruction or intentional injury to an individual's property, or words, actions, or gestures that threaten an individual or his/her property.

Special priority status entitles applicants to receive a ranking date above all chronological applicants on the waiting lists for which they are qualified and/or have indicated a preference. Victims of partner abuse with special priority status appear at the top of the centralized wait list maintained by the Housing Registry, ranked according to their date of application and indicating their risk status (i.e. living in or moved out).

Wait lists are updated daily. Some Housing Providers have electronic access to the centralized waiting list and can check waiting lists regularly. To those without electronic access, the lists are distributed monthly, and these Providers are encouraged to obtain an updated copy before offering a vacant unit. Housing Providers are aware that an applicant has been granted special priority status when they receive the wait list; however, the specific details of the applicant's situation are not disclosed to the Housing Provider.

### *2. Application Process*

Victims of partner abuse must complete several tasks specific to their application for special priority status. First, prior to determining eligibility for special priority, the Housing Registry must determine if the household is eligible for rent-geared-to-income (RGI) assistance.

Applicants for Special Priority status must complete and submit a Request for Special Priority Status form available from the Housing Registry or any Access Point or on the Registry's website.

The application form includes a statement confirming:

- status as a victim of partner abuse
- that the identified perpetrator resides with or previously resided with the victim; in the event that the victim and perpetrator no longer reside in the same location, the victim must submit her Application for Special Priority Status within three (3) months of their most recent co-habitation or offer a detailed explanation of the extenuating circumstances that resulted in a delayed application
- that the perpetrator is/was sponsoring the victim as an immigrant, if relevant
- confirmation of intention to live permanently apart from the identified perpetrator
- confirmation of preferred method of contact with attention to any safety issues.

In addition to the Application for Special Priority form, applicants must supply a “Confirmation of Abuse” form completed by an approved service provider as specified in the ***Social Housing Reform Act*** – i.e. doctor; teacher; law enforcement officer; social service worker; settlement services worker; guidance counsellor; member of clergy; lawyer; social worker; victim services worker; shelter worker; community health care worker; or person in a managerial or administrative position with a Housing Provider.

A face-to-face meeting with Housing Registry staff may be scheduled with the victim of partner abuse following submission and review of the written application and supporting documentation. This meeting will be scheduled in a private interview room, and Housing Registry staff will make every reasonable effort to ensure that the victim feels safe and comfortable throughout the meeting.

The face-to-face meeting would allow the Housing Registry staff to:

- reconfirm the safest and most appropriate way to contact the victim in the future regarding housing options, and
- offer information and referrals to other agencies that provide counselling, support, and secure, temporary shelter to victims of partner abuse.

In the event that an individual discloses that she is a victim of partner abuse after she has submitted an initial Part A application for rent-gear-to-income housing, Housing Registry staff will provide the applicant with the option of and requirements for special priority status, including the need for supporting documentation from an approved service provider.

Housing Registry staff have the authority to conduct an in-depth interview as an alternative to the application process outlined above if the victim expresses concern that the application requirements for special priority status might compromise her safety in any way or she is unable to provide the confirmation form completed by an authorized individual.

### *3. Approval Process*

Applicants for Special Priority status must be eligible for rent-geared-to-income assistance. Under the legislation, a Request for Special Priority status must be reviewed for completeness within 7 days of receipt. If the Special Priority application is complete, and the household is eligible for rent-geared-to-income assistance, an eligibility determination for special priority status will be made within fourteen days of the application being deemed complete.

In the event that the applicant is deemed eligible for rent-geared-to-income assistance and special priority status, she will be notified of the decision within seven days following the eligibility determination.

In the event that the applicant is considered to be ineligible for rent-geared-to-income assistance and/or special priority status, she will be provided with an Opportunity to Comment within fourteen (14) days following the notice of complete application, and will be given 30 days to comment. If the applicant does not respond within the 30-day period, a written Notice of Decision will be forwarded to the applicant. In addition, the applicant will receive confirmation of her right to request an Internal Review of the decision within the next ten days. Any such Internal Reviews are conducted by staff who were not involved in the original decision-making process in relation to the applicant.

### **ACCOUNTABILITY**

Complaints or concerns regarding the quality or nature of services received or not received by the Social Housing Registry Program will be addressed through the Customer Inquiry Protocol in place for the Community and Family Services Department, City of Kingston.

As well, applicants have opportunities to comment on services received and/or to participate in internal review processes as outlined within the *Social Housing Reform Act*.

## Income Support

In relation to:

### ***Ontario Works Program, City of Kingston***

#### **INTRODUCTION**

Social Services/Ontario Works administers social assistance programs and services for residents of Kingston and Frontenac County, including but not limited to income support, temporary help to individuals in urgent need, and employment support. Ontario Works is mandated to provide temporary financial assistance to people in financial need and to aid them in finding the shortest route to employment.

Social Services/Ontario Works has a stated commitment to equitable treatment for all clients. Personnel are committed to creating a welcoming environment for clients; they will not show any bias or preference in relation to clients and will excuse themselves from any service relationship where there is a real or perceived conflict of interest as identified by the staff person or client. Services are available in English; interpretation services for other languages must be arranged at least 48 hours in advance.

Staff maintain strict confidentiality; they will not disclose any information about clients unless required to do so by law or with written permission from involved parties.

More specifically, Social Services/Ontario Works will:

- provide emergency financial assistance and temporary financial support to eligible persons in need
- provide emotional support, information, and referrals to appropriate crisis services and community-based agencies
- assist clients in their efforts to learn about various options available in relation to employment, support, temporary shelter, long term housing, etc., and
- liaise with other agencies on behalf of clients as needed.

Hours of operation are Monday to Friday, 8:30 a.m. to 4:30 p.m., office is closed from 12:00 to 1:00 p.m. daily. A message can be left for Case Managers when the office is closed.

#### **OVERVIEW OF SPECIFIC PROCEDURES AND SERVICES**

##### *1. When Victims of Partner Abuse Apply for Assistance*

When a woman comes to Social Services/Ontario Works for assistance to leave a violent situation or immediately after leaving a violent situation, an assessment with respect to her need for **emergency or urgent financial assistance** is completed.

Emergency assistance is granted by a Case Manager when:

- the Case Manager is satisfied that the woman has no money or assets to provide basic needs and shelter for herself and her child/ren
- all other options and sources of financial assistance or support have been exhausted and emergency assistance is identified as the “last resort” for the client
- the woman’s physical health is at risk or in danger, and
- the woman does not otherwise qualify for Ontario Works assistance.

In those instances when the request for emergency assistance is approved, the woman may be granted up to a maximum of one half of one month of assistance. The Case Manager will also provide the client with referrals to appropriate community agencies, such as Kingston Interval House, the food bank, and counselling programs.

When a client indicates that she needs **continuing financial assistance**, she must go through the regular financial eligibility determination for all applicants; however, victims of partner abuse may be:

- granted a temporary deferral on the participation agreement re: seeking employment, up to a maximum of three (3) months unless otherwise authorized by an Ontario Works Supervisor, and/or
- granted a temporary waiver from pursuing support from her ex-partner up to a maximum of three (3) months unless otherwise authorized by a Supervisor

In the event that an approved applicant **seeks temporary shelter at Kingston Interval House or another area shelter**, she will not be eligible for basic needs and shelter funds; however, she may be entitled to a drug card and other special benefits (with the exception of special diet funds).

**When moving from an interval or transitional shelter to a permanent residence**, the client may be eligible for the Community Start Up Maintenance Benefit to assist with her transition to a violence-free home.

## *2. When Clients Disclose Abuse*

When a client of Social Services/Ontario Works discloses that she is currently experiencing violence in her intimate relationship, the Case Manager will offer emotional support, information, and referrals to suitable community agencies, such as Kingston Interval House and the Women’s Program at K3C.

Clients who disclose abuse may be:

- granted a temporary deferral on their participation agreement re: seeking employment, up to a maximum of three (3) months unless otherwise authorized by an Ontario Works Supervisor
- granted a temporary waiver from pursuing support from their ex-partners up to a maximum of three (3) months unless otherwise authorized by a Supervisor
- eligible for emergency financial assistance in those instances when they can demonstrate extreme hardship, and/or
- eligible for the Community Start Up Maintenance Benefit as described above and regular full income assistance.

Social Services/Ontario Works personnel recognize that the amount and type of assistance available through Ontario Works may not be sufficient to meet the needs of abused women who are either living in a shelter or who are trying to build a violence-free life for themselves and their child/ren. For example, when a woman leaves Kingston Interval House to set up her independent home, she may require first and last month's rent or she may need monies to purchase a refrigerator or stove. The Assessors, Case Managers, and Supervisors will make every effort to provide the woman with referrals and information about other options for donations or support that will not compromise her eligibility for assistance.

### *3. Documentation*

Women who disclose violence and abuse, either during their initial interview or at any time during their involvement with Social Services/Ontario Works must provide proof of violence within four to six weeks of their initial disclosure. Confirmation of abuse from a doctor, counsellor, or health care provider is considered to be acceptable proof of violence.

All clients of Ontario Works are required to inform their Case Manager of any change of information, such as change of address and/or change in financial situation.

### **ACCOUNTABILITY**

Complaints or concerns about the quality or nature of services received or not received through Social Services/Ontario Works can be directed to any Ontario Works Supervisor or Manager. Any such complaints will be dealt with in accordance with the *Ontario Works Act* and the policies and procedures of the Kingston office.

In the event that the client is not satisfied with any resolution offered by the Supervisor or Manager, she may contact the Director of Community and Family Services.

**APPENDICES**

## **Appendix One: Kingston Frontenac Anti-Violence Coordinating Team**

*Listed in alphabetical order by agency name*

CFB Kingston  
    Family Resource Centre  
    Military Police  
Crown Attorney's Office  
Family Court  
Frontenac Children's Aid Society  
Frontenac Victim Crisis Assistance & Referral Service  
Human Rights Office, Queen's University  
Kingston & Frontenac Housing Corporation  
K3C  
    Partner Abuse Response Program  
    Women's Program  
Kingston General Hospital  
    Sexual Assault/Domestic Violence Program  
Kingston Interval House  
Kingston Police  
Land O' Lakes Community Services  
Language Link Ontario Interpreter Services  
    Quinte United Immigrant Services  
Limestone District School Board  
Limestone Mediation  
Ontario Provincial Police, Frontenac  
Ontario Works, City of Kingston  
Pathways for Children and Youth  
Probation & Parole  
Salvation Army  
    Supervised Access Centre Kingston/Napanee  
Sexual Assault Centre Kingston  
Social Housing Registry  
Victim/Witness Assistance Program

|   |
|---|
| <p>Membership lists, with contact names, are distributed to KFACT members<br/>and are available upon request.</p> |
|---|

***Kingston Frontenac Anti-Violence Coordinating Team:  
Who We Are and What We Do***

The Frontenac Domestic and Sexual Violence Council, now named the Kingston Frontenac Anti-Violence Coordinating Team (KFACT), was established in 2005 to continue and expand the work of the Coordinating Committee Against Domestic Assault on Women (CCADAOW). In particular, KFACT's mandate was broadened to incorporate not just partner abuse but also sexual violence.

### **Vision Statement**

The City of Kingston and all of Frontenac County will become a community where each and every person will live safely, free from domestic and sexual violence.

### **Mandate**

Kingston Frontenac Anti-Violence Coordinating Team contributes to the eradication of violence by promoting individual and community awareness of issues relating to domestic and sexual violence and supporting a coordinated community response.

### **Guiding Principles**

Each agency involved provides quality services to victims of domestic violence and/or sexual violence according to policies, procedures, and mandates of their respective agencies.

It is not the responsibility of KFACT members to dictate or challenge the operations of the individual agencies but to mutually respect the mandates of the participating organizations at the table.

## **Statement of Principles**

### **Respect and Dignity**

KFACT expects that each individual will be treated with dignity, compassion and respect. We acknowledge the intrinsic worth of the victim/survivor.

### **Inclusiveness**

KFACT expects services to be inclusive, equitable and sensitive to gender, race, ability, sexual orientation, culture, socio-economic and religious diversity.

### **Community Awareness and Education**

KFACT expects to promote education and awareness of domestic and sexual violence and work towards its prevention and eradication. We help those in power to realize that these issues exist in our community and have a great impact on health and well-being.

### **Safety**

The safety of the victim/survivor of domestic and/or sexual violence, and their children or family, should be the primary focus of any intervention.

### **Confidentiality**

All services will endeavour to protect the confidentiality of the victim/survivor and family.

**Statement of Values**

- Abuse is a misuse of power. Domestic and/or sexual violence is a serious social problem connected to all forms of oppression.
- While anyone can be a victim of partner abuse, KFACT recognizes that the predominant form of partner abuse in our society is male violence against women, and KFACT's work builds on this reality.
- It is recognized that KFACT is inclusive and equitable and sensitive to gender, race, ability, sexual orientation, culture, socio-economic and religious diversity.
- Domestic and/or sexual violence isolates, diminishes, weakens and destroys.
- Domestic and/or sexual violence affects the individual, the entire family, and the entire community.
- The victim/survivor must be treated with sensitivity, dignity, openness, care, comfort and respect in order to minimize the possibility of re-victimization. It is recognized that each person reacts differently as a victim of domestic and/or sexual violence. Some individuals may display behaviours that may not be understood or considered appropriate. These behaviours must be recognized as coping strategies and the victim/survivor must be seen as responding in a way she believes necessary for her survival.
- Perpetrators must be held accountable for their behaviours. The community is responsible for ensuring that there are programs for perpetrators that challenge the beliefs and attitudes that support domestically and/or sexually violent behaviour and that endeavour to eliminate this behaviour.
- Public education, awareness, accountability and advocacy can decrease and eliminate incidents of domestic and/or sexual violence.

**KINGSTON FRONTENAC ANTI-VIOLENCE COORDINATING TEAM STRUCTURE**

Mandate: The Kingston Frontenac Anti-Violence Coordinating Team (KFACT) contributes to the eradication of violence by promoting individual and community awareness of issues relating to domestic and sexual violence and supporting a coordinated community response. KFACT works in both the urban and rural communities of Frontenac County.

Structure: The Coordinating Team consists of both organizational and individual members as set out below. It operates primarily through three committees – Steering; Membership, Outreach and Communication; and Protocol – which bring issues and questions back to the Team for discussion and final decision-making.

The Team is chaired by a representative from one of the community agency members.

Meetings: The Coordinating Team meets at least four times a year, in June, September, December and March. Meeting dates may be changed at the discretion of the Team Chair. At the June meeting, the Chair is selected and members select the committee on which they wish to work for the following year.

**Membership:** Team membership is open to any health, social service or legal agency/organization in the City of Kingston and the County of Frontenac that provides services and supports to victims/survivors of domestic and sexual violence and any interested individuals.

**Membership expectations:**

- To accept and adhere to the purpose, belief statements, guiding principles and accountability mechanisms as outlined in the Protocols concerning partner abuse and sexual assault;
- To attend meetings on a regular basis and participate meaningfully in various tasks;
- To contribute to the agenda by bringing relevant and recent issues to the attention of the group;
- To assume responsibility for distributing information to their home agency/service/community;
- To actively participate in a working committee
- To assume responsibility for any costs related to their participation.

**Membership Approval Process:**

Potential members would first attend at least one Coordinating Team meeting as observers. If they were still interested, they would complete the application form and submit it to the Membership Committee. The Membership Committee would meet 4 times a year to review applications. If the applicants meet the criteria (commitment to the guiding principles etc.) and if their agency's mandate (or, if an individual, their interests) meet the criteria set out above, they would be approved for membership. Each new member would be teamed up with an existing member in a buddy system to assist the new member in feeling comfortable and becoming familiar with the Team. The Membership Committee would be responsible for following up with the new member as well as with all members to ensure they attend meetings etc.

**Committees and Mandates**

**Steering Committee:** The Steering Committee is responsible for generally coordinating and overseeing the work of the Coordinating Team and for responding to matters that require immediate attention. This includes responsibility for any special projects in which KFACT may decide to become involved. Depending on the nature of the special project, the Team may strike an ad hoc committee to manage it.

The Team chair and at least 3 other Team members representing diverse organizations/agencies will sit on the Steering Committee. The Committee will meet bimonthly.

**Membership, Communication and Outreach Committee:** This committee is responsible for directing and coordinating membership, communication and outreach activities of KFACT. In particular, it will

- develop a membership package and application form for distribution to potential members
- oversee the membership process and decide on applications for membership as per the Membership Approval Process set out earlier in this document

- follow up with new members and provide them with orientation
- develop ongoing media releases to promote KFACT's work
- find ways to promote KFACT's work through public events
- identify and implement outreach strategies to ensure marginalized communities are aware of KFACT's work

At least 4 Team members representing diverse organizations/agencies will sit on the Membership, Communication and Outreach Committee. The Committee will meet bimonthly.

**4. Protocol Committee:** This Committee is responsible for the oversight of both the Partner Abuse and Sexual Assault protocols. This oversight includes:

- regular evaluations of both Protocols
- development of ongoing revisions/updates to the Protocol, as needed
- review of any concerns, issues, complaints etc that may arise on the part of Protocol partners, Team members, service users or members of the public about either Protocol
- working with the Team to develop Protocol training as needed
- responding to requests for copies of the Protocol
- keeping the Team informed of issues relating to both Protocols

This Committee will have at least 5 members, including one representative from each of Kingston Interval House, Sexual Assault Centre Kingston, Kingston General Hospital Sexual Assault Domestic Violence Program, V/WAP and the police. The Committee will meet bimonthly.

Committee Structure: Each committee will select its chairperson who is responsible for:

- ensuring the committee follows its mandate and addresses its tasks within the specified time frames
- setting and circulating meeting agendas
- chairing meetings
- ensuring minutes are kept
- reporting on the committee's work to the Coordinating Team

Committee members are expected to:

- attend meetings regularly
- contact the committee chair if they have to miss a meeting
- take on tasks relating to the work of the committee

## **Appendix Two: Protocol Development and Evaluation Steering Committees**

*Listed in alphabetical order by last name*

### **Protocol Development Steering Committee**

|                |  |
|----------------|--|
| Lisa Fox       | Kingston Interval House                  |
| Joan Gillespie | Community member                         |
| Antje McNeely  | Kingston Police                          |
| Rosemary Thoms | Kingston Community Counselling Centre    |
| Judith Moses   | Consultant, Collective Wisdom Consulting |

### **Protocol Evaluation Steering Committee**

|               |   |
|---------------|---|
| Lisa Fox      | Kingston Interval House                                 |
| Janet Lee     | Victim/Witness Assistance Program                       |
| Tyler Moon    | Kingston Frontenac and Lennox & Addington Public Health |
| Bette Moreton | Community Volunteer                                     |
| Pamela Cross  | Consultant  |

## **Appendix Three: Kingston Police Services Domestic Violence Incident Order**

This Order is subject to revision as deemed necessary. While every effort will be made to ensure that significant revisions or changes to police procedures are incorporated into the Protocol, the Protocol may not contain the most current version of the Domestic Violence Incident Order. Any questions regarding the most up-to-date version of the Order should be directed to the Kingston Police.



Kingston Police

# General Order

|                              |                                    |                           |  |
|------------------------------|------------------------------------|---------------------------|--|
| <b>Type:</b>                 | Policing and Enforcement           | <b>Related Standards:</b> | Guideline LE-024 under O.Reg. 3/99, Adequacy Standards |
| <b>Subject:</b>              | <b>Domestic Violence Incidents</b> |                           |  |
| <b>Number:</b>               | <b>Vol. I-B-10</b>                 | <b>Replaces:</b>          | Vol. I-B-10R4  |
| <b>Revision:</b>             | 5                                  |                           |  |
| <b>Effective Date:</b>       | <b>2007-04-04</b>                  | <b>Revised Sections:</b>  | Extensive revisions; review entire document.           |
| <b>Re-evaluation:</b>        | Annually by originator             | <b>Originator:</b>        | Domestic Violence Coord                                |
| <b>Special Instructions:</b> |                                    |                           |  |

**Purpose**

The purpose of this order is to create a standardized approach for police response to domestic violence, in an effort to ensure the safety of victims caught within the cycle of domestic abuse. This order is intended to express the commitment of the Kingston Police to addressing this serious social problem.

**Policy**

It is the policy of the Kingston Police to investigate incidents of domestic violence vigorously and to support victims through a coordinated community response designed to improve their quality of life.

Police shall lay charges in all incidents of domestic violence where there are reasonable grounds to do so. Offences for which charges may be laid relating to domestic violence include, but are not limited to, homicide, assault, sexual assault, threatening death or bodily harm, forcible confinement, criminal harassment, abduction and forcible

confinement, breaches of court orders, and property-related offences.

#### Definitions

“Domestic violence” is any use of physical or sexual force, actual or threatened, in an intimate relationship, which could include emotional/psychological abuse or harassing behaviour. Although both women and men can be victims of domestic violence, the overwhelming majority of this violence involves men abusing women.

“Intimate relationships” include those between opposite-sex and same-sex partners. These relationships vary in duration and legal formality and include current and former dating, common-law, and married couples.

“Domestic incident” means any conflict between two or more persons who are in an intimate relationship, whether living together or not, where, even though no criminal or provincial offence has occurred, the police have been called to the scene. This includes conflicts in same-sex relationships but not parent/child or sibling/sibling conflicts.

“Reasonable grounds” is interpreted as a set of facts or circumstances that would satisfy an ordinary, cautious, and prudent person that there is reason to believe an offence has been committed and which goes beyond mere suspicion. A police officer, in deciding whether or not there are reasonable grounds for any action contemplated, must review all the facts, including verbal evidence, and then decide if these facts satisfy the interpretation.

A “Domestic Violence Supplementary Report Form” is a report used to help determine the degree of risk for the victim. It will be utilized in the Bail or Crown Brief for court purposes.

The “Domestic Violence Coordinator” refers to the officer assigned to this position by routine order.

The “Bail Safety Program Officer” refers to the officer assigned to this position by routine order.

#### Procedures—Communications Personnel

Police will respond to all calls relating to a domestic incident, including those received from third parties who may or may not identify themselves. Police will also respond if the call is disconnected or the caller indicates that the police are no longer required. Domestic incident calls should receive the same priority as any other life-threatening call, and two officers should be assigned to respond. The caller should be made aware of the anticipated time of arrival of the officers.

In all cases where violence has occurred or has been threatened and there is reason to believe that the suspect intends to go to or is present at the victim’s location, a minimum of two officers shall be dispatched to the victim’s location.

Communications personnel shall ensure that, in addition to information ordinarily received from the caller, police officers responding to a domestic incident call are provided with the following where possible:

the caller’s name, address, telephone number, and relation to the incident (i.e., witness or victim);

any injuries, and if Regional Ambulance is required;

information about the suspect (i.e., relation to victim, name, date of birth, current location, description);

**Note:** Communications personnel shall initiate CPIC checks and obtain Firearms Interest Police (FIP) and Canadian Firearms Registry Online (CFRO) information and be cognizant that the FIP information is normally returned well after the 10-29 information.

whether the suspect is under the influence of drugs or alcohol or has a mental illness or suicidal tendencies;

whether there are known to be firearms, weapons, or ammunition in the residence, and where they are located;

whether the suspect or anyone in the household has been issued or refused an authorization to acquire a firearm, firearms licence, or registration certificate;

whether children or other persons are present in the household and their names, ages, and location within the dwelling;

whether there have been one or more previous domestic violence calls involving the reported parties or to the address, the nature of the previous incidents, and whether weapons have been involved;

whether a current Peace Bond / Restraining Order or bail/probation condition exists against the suspect and the source of this information; and

if a call is received via 9-1-1, include this information in the body of the call.

**Note:** Members shall be aware that the presence of the suspect or continuation of the offence may prevent or limit the availability of information mentioned in sections D3(a) to (j).

Communications personnel shall make every effort to maintain telephone contact with the victim until responding officers arrive on scene.

Communications personnel shall notify the road supervisor or the Watch Commander when a domestic incident has been reported.

#### Procedures—Responding Officers

Due to the high risk potential in domestic situations, officers shall use extreme caution and adhere to proven safety procedures when responding to domestic incidents. Unless exigent circumstances exist, officers should consider waiting for the second officer prior to entering a domestic situation alone and shall ensure that Communications personnel are aware of that fact.

When a call regarding a domestic incident is received, two officers shall be assigned to respond. Whenever possible, a supervisor shall attend. If a supervisor is not available for response, the Watch Commander will make an inquiry with the investigating officers as soon as possible thereafter to ensure proper investigative procedures and adherence to this order.

In cases where the officers attend a domestic call and find that it involves a member of a police service, they shall immediately notify a supervisor, who will take action as outlined in Section G, "Responsibilities of Supervisors." Officers investigating a domestic incident shall conduct a thorough investigation, with the purpose of determining if reasonable grounds exist for the laying of criminal charges and/or other charges. Questions such as those found under "Risk Factors" on the Domestic Violence Supplementary Report Form should be utilized in a thorough investigation. Officers shall consult when necessary with their supervisors or officers who have been trained on the Ontario Police College Domestic Violence Investigators Course and General Investigation Techniques Course.

If, upon completion of an investigation, an officer determines that a call is not a domestic incident, the officer will notify a supervisor and advise the findings. It is the responsibility of the supervisor to confirm the findings and, if necessary, contact Communications to have the final case type amended to reflect the true nature of the call.

If, upon completion of an investigation, an officer determines that a domestic incident was not originally identified as such, the officer will notify a supervisor and advise the findings. It is the responsibility of the supervisor to confirm the findings and, if necessary, contact Communications to have the final case type amended to record the call as a domestic incident.

Investigators shall ensure that investigations of domestic incidents comply with General Order Vol. I-B-71, "Criminal Investigation Management Plan," and include:

interviewing all parties separately;

recording statements, including those of victims, neighbours, and children, as required;

preserving the crime scene, as necessary;

collecting evidence, including the seizure of 9-1-1 tapes, photographs, and, if applicable, evidence collected from the Kingston General Hospital Sexual Assault and Domestic Violence Program (refer to General Order Vol. I-B-13, "Sexual Assault Investigation);

**Note:** It is the objective of the Kingston Police to gather sufficient evidence for prosecution without relying solely on a victim's statement.

emphasizing to the victim and the suspect that it is the duty of the police to lay a charge when there are reasonable grounds to believe that an offence has been committed. It should be made clear that neither the parties nor the police can have a charge withdrawn and that only the Crown Attorney can withdraw a charge;

supplying the victim with a business card indicating the investigating officer's name, badge number, and telephone number, as well as the incident number;

notifying the victim of the availability of victim services, such as the Kingston General Hospital Sexual Assault and Domestic Violence Program, Frontenac Victim Crisis Assistance and Referral Service (FVCARS), and Interval House;

if charges are laid, completing the "Referral to Victim Witness Program" portion of the Domestic Violence Supplementary Report Form for submission with the crown brief and providing the victim with the Bail Safety Program contact sheet (which is attached to the Domestic Violence Supplementary Report Form and contains the number of the Victim/Witness Assistance Program), so that the victim can make contact and set an appointment to meet with the Crown Attorney, Victim Witness personnel, and the Bail Safety Program Officer as soon as possible; ensuring that a Domestic Incident Report is submitted in all cases of reported domestic incidents, whether or not an offence is alleged and whether or not a charge is laid. The Kingston Police recognize the importance of tracking all incidents of a domestic nature to assist in providing information to attending officers at any future calls involving the residents and in developing intervention strategies with community partners. In cases where children are under the care of a parent/guardian full or part time, or the Children's Aid Society (CAS) has the children in care, all such Domestic Incident Reports shall be faxed to the attention of the Kingston CAS in non-emergency situations. A copy of the successful fax transmission shall be attached to the Incident Report. In emergency situations, the CAS will be

contacted directly;  
the following information in a Domestic Incident Report:  
the number of domestic incidents involving the victim and the offender;  
whether or not an offence has taken place;  
the names and ages of any children in the household;  
clarification of any discrepancy from what is reported to Communications and what the investigation reveals; and  
if, upon interviewing all of the involved parties and a determination cannot be made as to who the suspect is (or there is no suspect), a role coding beside each party as “involved-09”;  
when a criminal charge is laid in a domestic violence incident, submitting a Domestic Violence Supplementary Report as soon as possible. Where an accused has been arrested, the Domestic Violence Supplementary Report shall be completed and reviewed prior to a decision to release the accused or detain the accused for a bail hearing, and it will be included in the Crown/Bail Brief. This report should be completed by the officer with the victim, and the officer should encourage the victim to sign the report. Victims should be advised that they can update the information on the Domestic Violence Supplementary Report at any time, should circumstances change;  
considering the use of investigative supports to assist in cases determined to be high risk, including the use of surveillance of the offender, victim/witness protection services, and the OPP Behavioural Sciences Section, Threat Assessment Unit. Arrangements to access any specialized supports can be made through the Watch Commander and/or the Domestic Violence Coordinator. If the investigation identifies the offender as high risk or a repeat offender, that offender should be entered on the “SIP” (Special Interest Police) category on CPIC as soon as possible but no later than within 24 hours. The victim who is at high risk shall also be entered on the SIP category on CPIC within 24 hours as a victim at risk of domestic violence;  
considering whether there is evidence of criminal harassment; and  
in any domestic violence incident that becomes a “threshold major case,” treating the investigation in accordance with the Ontario Major Case Management Manual and General Order Vol. I-B-71, “Criminal Investigation Management Plan.”

If an assault has occurred, upon arrival at the scene officers will assist any persons in obtaining medical attention. Given that assaulted parties frequently sustain internal or external injuries that are not visible, officers must ask parties whether they have sustained injuries and note their response. If a party requires medical attention, the officer shall document this. The officer should obtain a signed Medical Release Form from the victim for physical injuries that resulted from the domestic incident.

In domestic violence cases, officers are responsible for gathering and documenting evidence in the standard manner for any criminal investigation and as more particularly detailed in General Order Vol. I-B-65, “Collection and Preservation of Evidence.” Whenever possible, evidence at a domestic violence incident shall be photographed to ensure that victim injuries and the crime scene are adequately documented. If a Forensic Identification Unit officer is working, that officer will be requested to attend the scene for this purpose on a priority basis; otherwise, an on-duty Scenes of Crime Officer will attend. If neither is available, the investigating officer will utilize the Patrol Division digital camera to photograph evidence. Photographs will be utilized for documenting evidence of injuries/destruction to be introduced at a pending bail hearing, as well as for trial purposes. If the victim received soft tissue trauma, officers will also have the Forensic Identification Unit contact the victim again. In best practice, this would be 48 hours after the incident for photographing the injuries again, for they will likely be more visible at that time. In a situation where the victim’s injuries are hidden by clothing, an officer of the same sex as the victim will be present when photographing these injuries in a private setting.

Officers will interview all parties separately (victim, suspect, and witnesses), while ensuring officer and victim safety. When an interpreter is required, an effort should be made to provide one independent of the victim and the accused, such as Quinte United Immigrant Services. Only rarely should children present at the scene be used as interpreter for their parents, i.e., in apparent emergency situations or to inform the parents that an interpreter is being provided.

Police officers in attendance at domestic violence calls where immigration status is an issue or where language is a barrier will use the following procedures:

if language is a barrier, the services of a government-funded interpreter (e.g., Quinte United Immigrant Services) should primarily be utilized;

officers will explain to victims, and if necessary through the interpreter, that their status in Canada should not change

in any way as a result of participation in the judicial process, either as a victim of an offence or as a result of charges laid against the accused;

officers should advise domestic violence victims to get independent legal advice as to their immigration status in Canada; and

in some cases, immigrant spouses may feel that a partner has the power to seize their identification papers and deport them. The officer shall assist spouses in collecting and securing from the residence identification papers, landed immigrant records, birth certificate, passport, health card, and SIN card.

In cases where domestic violence victims are elderly or have disabilities, officers shall make all reasonable efforts to contact appropriate community resources to render assistance, including suitable transportation, care, and shelter.

When accused persons are sole caregivers for victims, and arrest and removal from the residence will, as a direct result, put victims at physical risk, officers will contact, on advice of victims or their advocate, appropriate resources such as family and/or community services for their care.

When children are present, officers will ensure that they are not placed at risk and are provided with appropriate support/assistance. Obligations under legislation must be met, including the *Child and Family Services Act*, which requires police officers to act in accordance with the statute when they believe that a child is or may be in need of protection. The CAS shall be contacted forthwith in the following situations:

where a child has suffered physical harm as a result of domestic violence;

where a child has become involved in a domestic dispute in a direct manner (e.g., child calling 9-1-1 or attempting to break up the dispute);

where the non-offending caregiver is unable to care for the child due to that person's physical or emotional condition (e.g., physically injured, emotionally unstable, or incapacitated due to alcohol or drug consumption); and

where the pattern or degree of violence is so severe that there is a risk of harm to the child in the home.

**Note:** The CAS will be called immediately in emergency situations; otherwise, a copy of the incident will be faxed as soon as practicable. A copy of the successful fax transmission shall be attached to the Incident Report.

In all cases where the laying of charges is anticipated, officers shall attempt to obtain a formal written or video statement from the victim and other witnesses if available, in accordance with the *R. v. KGB* guidelines (see Appendix A, "Information Sheet on Sworn Videotaped Statements in Domestic Violence Incidents"). Such

statements shall attempt to establish but not be limited to the following:

history of other abuse/violence, whether previously reported or not;

history of criminal harassment;

if there is a pattern of control that the abuser exercised over the victim;

if the victim is isolated from friends, family, or neighbours;

the presence of or access to firearms and registration certificates;

the use of weapons;

history of drug or alcohol abuse;

any history of mental health or stability issues;

the feeling of safety of the victim and to what extent the victim fears the abuser; and

if the suspect has engaged in a pattern of offending that may indicate hate/bias motivation.

A charge shall be laid in all domestic violence incidents where reasonable grounds exist. In an extraordinary situation, there may be reasons not to lay charges, but any such situation must be approved and documented by a supervisor as to the reasons for not laying charges. In determining reasonable grounds, officers shall consider all relevant factors, including but not limited to:

verbal statements from the victim and/or witnesses;

physical injuries; and

other physical evidence of an offence.

**Note:** The absence of a statement does not preclude the laying of a criminal charge.

In formulating a decision whether to lay charges, officers shall not be influenced by any of the following factors: marital status of the parties;

disposition of previous police calls involving the same victim and suspect;

the victim's unwillingness to attend court proceedings or the officer's belief that the victim will not attend;

the likelihood of obtaining a conviction in court;

verbal assurances by either party that the violence will cease;

denial by either party that the violence occurred when evidence exists to the contrary; the officer's concerns about reprisals against the victim by the suspect; or

race, ethnicity, socio-economic status, disability, or occupation of the victim or suspect.

Section 495 (Arrest without Warrant by Peace Officer) and section 497 (Release from Custody by Peace Officer) of the *Criminal Code* are two sections to which officers should refer for assistance in the decision-making process when processing alleged offenders of domestic violence.

Section 524(2)(a) of the *Criminal Code* provides power of arrest without warrant for a peace officer who believes on reasonable grounds that an accused has contravened or is about to contravene any summons, appearance notice, promise to appear, undertaking, or recognizance.

As per section 117.04 of the *Criminal Code*, police officers may obtain a search warrant (or under exigent circumstances search without warrant) if there are reasonable grounds to believe that it is not desirable in the interest of the safety of the individual, or any other person, to possess any weapon, prohibited device, ammunition, prohibited ammunition, or explosive substance. Officers shall ensure that action is taken in accordance with General Order Vol. I-B-54, "Preventing or Responding to Incidents Involving Firearms."

As per section 111 of the *Criminal Code*, police officers may apply to a Provincial Court Judge for a prohibition order if there are reasonable grounds to believe that it is not desirable in the interests of the safety of the person against whom the order is sought, or any other person, to possess any firearm, crossbow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition, or explosive substance. Officers shall ensure that action taken complies with General Order Vol. I-B-54, "Preventing or Responding to Incidents Involving Firearms."

If attending officers determine on reasonable grounds that a Recognizance to Keep the Peace (Section 810 CCC Peace Bond) exists pursuant to the *Criminal Code* and that one of the parties is in contravention of that Order, then officers shall lay charges, regardless of whether or not the complainant consented to the other party's presence.

Where a contravention is alleged of a valid order pursuant to the *Family Law Act* (possession of the matrimonial home), the *Family Law Act* (molesting, annoying or harassing), or the *Children's Law Reform Act* (order restraining harassment) and officers determine on reasonable grounds that such an order exists and that one of the parties is in contravention, the accused shall be charged, regardless of whether or not the complainant consented to the presence of the accused. Officers shall ensure that the enforcement of Superior Court Family Division Orders comply with General Order Vol. I-C-5, "Enforcement of Superior Court Family Division Orders."

Upon receiving information of a Family Court Order with police enforceable conditions that has not yet been added to CPIC, officers shall submit an Incident Report requesting that it be added to CPIC once the validity has been confirmed through Family Court by the CPIC Operator.

If the suspect is not present when police arrive, officers will determine all information pertinent to the incident, including the safety threat to the victim, public, and police. If reasonable grounds exist to lay a charge and the suspect cannot be immediately located, a warrant for the accused will be obtained as soon as possible, and the following action shall be taken.

A Form KPF-IS-2.1.17, "CPIC Wanted Person Entry Request for Domestic-Related Incidents," shall be completed. A "WANT" entry on CPIC shall be made immediately, indicating "R&PG Domestic Violence W/A to be obtained. Known to be dangerous to others by committing Domestic Violence. Contact Kingston Police Watch Commander at 613-549-4660, ext. 2242, to confirm action to be taken."

A copy of the completed CPIC Wanted Person Entry Request for Domestic Related Incidents form shall be placed in the WANT binder located in the Watch Commander's Office, along with a copy of the CPIC entry. An additional copy of the CPIC Wanted Person Entry Request for Domestic Related Incidents form will be forwarded to Records for the attention of CPIC.

Once the warrant is obtained, the CPIC entry will be modified by deleting the reference to "R&PG Domestic Violence W/A to be obtained" and inserting the offences, with the notation "Domestic Violence," as soon as practicable but no later than within 24 hours.

Every reasonable effort should be made to locate and apprehend the suspect.

A continuous chain of active follow-up by officers will be maintained and recorded in the WANT binder on the back of the CPIC Wanted Person Entry Request for Domestic Related Incidents form until the suspect is apprehended/located. This includes leaving enough information for the following shifts to give officers reasonable and probable grounds to arrest the suspect without a warrant.

The victim will be fully informed by the investigating officer of the nature and proceedings against the accused that will follow the charge and/or arrest. Officers will provide victims with information on how to access the Victim/Witness Assistance Program, the Bail Safety Program, and other community services available. Officers shall attempt to determine who the dominant aggressor is, to distinguish assault from defensive self-protection. Officers should refer to the Ministry of Community Safety and Correctional Services document “Reduction of Dual Charges in Domestic Violence Occurrences: Investigative Aid for Police Officers” at Appendix B. In attempting to determine who the dominant aggressor is, officers shall consider the following: history, control, isolation, and safety issues pertaining to the relationship; the law’s intent to protect victims of domestic abuse; and prior to laying counter-charges, whether the following self-defence provisions under section 34 of the *Criminal Code* apply: relative size and strength of the parties; whether one of the parties feared the actions or threatened actions of the other; and whether reasonable force was applied in self-defence. If reasonable grounds do not exist for the officer to lay a charge against the suspect, officers may explain to the complainant the process for laying an Information before a Justice of the Peace.

**Note:** Refer to sections 35, “Self-Defence in Cases of Aggression”; 36 “Provocation”; and 37, “Preventing an Assault,” of the *Criminal Code*.

Officers shall conduct a full investigation into the circumstances surrounding any recantation of a victim of domestic violence. The victim shall be interviewed to determine the reasons for the inconsistencies between current and previous statements. Officers shall take a statement as per section E14. Results of the officer’s investigation shall be documented, and copies of the statement and officer’s notes shall be forwarded to the Crown Attorney. Whenever possible, the investigation into a recantation shall be assigned to the original investigating officer.

#### Procedures—Domestic Violence Investigators

Domestic violence investigators will have the primary responsibility for undertaking, managing, or reviewing the investigation of domestic violence incidents, except where the type of incident involves an offence that is addressed by the Kingston Police Criminal Investigation Management Plan and/or the Ontario Major Case Management Manual.

Domestic Violence Investigators will also be a resource to patrol officers investigating domestic incidents.

#### Responsibilities of Supervisors

Supervisors shall attend all domestic incident calls when available and will monitor these calls to ensure proper investigative procedures and adherence to this order.

In cases of domestic violence involving a member of this police service, the supervisor shall ensure that the Watch Commander / Duty Officer is informed through the proper chain of command, and the supervisor shall attend the scene. As well, supervisors shall:

be designated as the Officer-in-Charge of the investigation and shall follow the procedures set out in this order; if charges are laid and the accused is released on a Form 10 and 11.1, ensure that the duty firearm is seized as a condition of release; and

notify the Professional Standards Office and the Domestic Violence Coordinator of the incident.

In cases where a police officer is charged, the Chief of Police or designate shall review the case and render a decision, appropriate to the circumstances, concerning the duties of the officer.

In cases of domestic violence involving a member of a police service other than this police service, the supervisor shall notify the Watch Commander / Duty Officer. The supervisor shall attend the scene and notify the appropriate police service. If charges are laid, the Watch Commander shall ensure that the other police service is aware of any conditions of release prior to the accused being released. Supervisors shall notify this police service’s Professional Standards Office and the Kingston Police Domestic Violence Coordinator of the incident.

Supervisors will regularly review Incident Reports to ensure adherence to this order.

Supervisors must authorize final case type changes and notify Communications of any amendments.

Supervisors who receive evidentiary documentation from the Kingston General Hospital Sexual Assault and Domestic Violence Program regarding victims who have attended the program and have not yet had police involvement will create an incident number and have it assigned to an officer for immediate follow-up.

Supervisors who receive evidentiary documentation from Kingston General Hospital Sexual Assault and Domestic Violence Program regarding victims who have attended the program and already have police involvement will assume responsibility for the property by following General Orders Vol. I-A-75 Part I, “Property Control (All Except

Liquor and Drugs),” and Vol. I-B-65, “Collection and Preservation of Evidence.” Supervisors will prepare a continuity statement and forward the statement to the investigating officer.

**Note:** The Kingston General Hospital Sexual Assault and Domestic Violence Program will attempt to contact, in order, the following individuals to deliver domestic-related evidence: the Domestic Violence Coordinator; the Case Manager; and the Watch Commander.

#### Police Assistance to Victims of Domestic Violence

Officers will remain at the scene until they are satisfied that there is no further immediate threat to the victim. The victim shall also be given information with respect to safety planning, and further arrangements should be made for this to be done, such as referrals to FVCARS or Interval House.

Victims may apply to Kingston Interval House to qualify for an alarm installation at their residence if certain requirements are met. Kingston Interval House also offers counselling services for women and children who live or have lived in an abusive relationship.

If requested, officers will attend the residence to ensure peaceful entry when the victim returns to take possession of personal belongings and when concerns for safety exist because of the presence of the accused in the residence.

When peaceful entry cannot be achieved, or the removal of certain property is contested by either party, officers will advise the parties of the necessity to seek a civil remedy.

**Note:** Officers must, prior to attending a residence with an accused person, check the release conditions of the accused, including any bail variances, to ascertain if any condition exists that prohibits the accused from attending the residence. If the accused is prohibited from attending the residence and there is no provision for a return in the Order, officers shall advise the accused to consult with legal counsel.

In a “keep the peace” situation, a report shall be submitted. A one-page Incident Report labelled “Keep the Peace” and outlining police involvement is sufficient. This would involve situations where property is being removed and police assistance is sought or where police are present for the exchange of children. In completing the report, if there is no clear suspect, the role coding beside each party will be “involved-09.”

In the interests of officer and victim safety and to ensure that police officers remain as impartial observers (e.g., to prevent a breach of the peace), officers should not assist a victim in the physical removal of personal belongings when accompanying the victim to the residence but should suggest that the victim elicit the assistance of a friend, advocate, etc.

In addition to informing the victim of possible legal remedies and other options that may be available, officers should, at all times, have access to information regarding relevant community/social service agencies (e.g., shelters, victim services), accompanied by addresses and telephone numbers, in order to provide immediate referrals as needed.

Officers should arrange for transportation to a shelter or safe place if necessary. The location shall remain confidential unless the Crown Attorney authorizes disclosure.

Any information recorded in an officer’s notebook that may jeopardize the victim’s safety (e.g., current address) must be vetted by blocking that information out on **copies** of notes upon disclosure to the Crown Attorney.

Investigating officers shall ensure crucial information is provided to victims of domestic violence regarding the status of their case, should they enquire.

**If bail is granted, the victim shall be informed of any conditions of release and be provided a copy thereof, if appropriate.**

It is the role of the Court Officer / Wash Court Officer to arrange for victim notification following a bail hearing and to provide release documentation to CPIC personnel or Communications personnel prior to the end of shift so that it can be immediately added to CPIC. The Officer-in-Charge of the Court Services Unit shall ensure that the Victim Witness Assistance Program is provided with a copy of the Referral to Victim Witness Assistance Program form as soon as possible.

#### Post-Arrest Procedures

Where criminal charges have been laid as a result of an investigation into a complaint of a domestic incident, officers should consider opposing bail if circumstances warrant. In accordance with section 515(10) of the *Criminal Code*, the detention of the accused is justified when detention is necessary for the protection or safety of the public (including the victim), having regard to all the circumstances.

**Note:** Officers shall conduct name and address queries on Versadex to determine if there is a history of domestic incidents and include such information on the Bail.

In determining whether it is in the public interest to detain or release an accused, in consultation with the investigating officer, the Watch Commander shall consider the following factors:

- the seriousness of the crime, including injuries to the victim;
- the use of or the threat to use weapons in the commission of the offence;
- past history of violence;
- degree of intoxication or apparent substance abuse by the accused;
- attitude of the accused, including threats of further violence; and
- other factors that officers from their observations at the scene believe are important in the exercise of their discretion.

The Domestic Violence Supplementary Report Form addresses those issues.

When the accused is brought before a Justice, in accordance with section 515 of the *Criminal Code*, the investigating officer shall recommend conditions for release. The victim should be invited to assist the officer in determining the extent and type of conditions of release that will be requested at the bail hearing. (Refer to section 515 for recommended release conditions.)

In all domestic violence incidents where there has been a breach of bail or there is about to be a breach, officers will comply with Kingston Police General Order Vol. I-B-59, "Bail and Violent Crime."

Arrested parties not held for a bail hearing will be released on a Form 10 accompanied by a Form 11.1, with the first appearance date to be held on the Wednesday within three weeks of the offence, or as specified by the Domestic Violence Court should this day change. It is the responsibility of the investigating officer to obtain the particulars of the location where the accused is being released. Persons should be run on CPIC to ascertain their history, including FIP and CFRO. If the accused is being released to a home where there are weapons, a limited access warrant should be sought. If an officer processes an accused on a Form 9 or summons, written explanation shall be included on the incident report. **This type of release will be an exception to the Kingston Police release procedures in domestic situations.**

When the accused is released on a Form 10 and 11.1, an entry will be immediately placed on CPIC. The accused should be identified in the caution category as "F" for family violence.

In cases where a person accused of domestic violence is on probation for other offences, officers shall complete a Probation Contact Form advising the Probation Office of the new charges. This form shall be faxed to the Probation Office as soon as practicable, and a copy of the successful fax transmission and Probation Contact Form shall be attached to the Incident Report.

Officers shall consider the use of the OPP Behavioural Sciences Section, Threat Assessment Unit, to conduct a risk assessment analysis for repeat offenders or offenders of concern. Requests to access the Behavioural Sciences Section should be directed through the Domestic Violence Coordinator.

Responsibilities of the Domestic Violence Coordinator

The Domestic Violence Coordinator reports to the Officer-in-Charge of the Court Services Unit and shall:

- be a designated Domestic Violence Investigator of the Kingston Police; and
- in addition to other duties, be responsible for the implementation and monitoring of policy related to family violence by conducting audits of domestic-related investigations.

The Domestic Violence Coordinator shall:

- ensure that a consistent and coordinated monitoring process for all domestic incidents is maintained by:
- liaising on a regular basis with Kingston Police members and providing them with assistance as may be required; and
- conducting periodic audits of response to family violence incidents;
- ensure that the roles of the Kingston Police as outlined within the protocol for the Bail Safety Program are fulfilled;
- when received, provide disclosure to the Court Services Unit of evidentiary documentation from the Kingston General Hospital Sexual Assault and Domestic Violence Program;
- liaise with the Kingston Frontenac Anti-Violence Coordinating Team, other community groups, police agencies, and social and criminal justice agencies dealing with issues relating to family violence;
- act as a resource to members of the Kingston Police and the community;
- in the case of a member of any police service who is charged by the Kingston Police but is residing outside Kingston Police jurisdiction, notify the Domestic Violence Coordinator of that jurisdiction;
- ensure that the required statistics on domestic violence are forwarded to the Ministry of Community Safety and Correctional Services in the manner specified by the Ministry;
- review orders relative to domestic violence at least once annually and in consultation with the Officer-in-Charge of

the Court Services Unit, to determine and make recommendations on the following:  
whether orders, policies, or procedures should be modified; and  
whether additional training is required; and  
coordinate training programs and disseminate information to members of the Kingston Police in relation to domestic violence.

W.J. Closs  
Chief of Police

## **Appendix Four: Associated Agencies and Organizations**

Victims of partner abuse and/or their children may enter the service delivery system in a multitude of ways. Many different health, social service and/or legal agencies and organizations in Frontenac County provide various services to individuals who have experienced partner abuse despite the fact that they are not specifically or exclusively mandated to provide specialized services to this population.

A wide range of these service providers were invited to provide brief descriptions of their mandate, programs, and services with special attention to any internal procedures staff are required to follow in the event that they become aware that their client has been or is being abused in an intimate relationship.

These agencies are not signatory partner agencies to the Partner Abuse Protocol.

### *Dawn House Women's Shelter*

Business: 613-545-9640

Crisis: 613-545-1379

Dawn House Women's Shelter is a 10-bed facility mandated to provide temporary shelter for **homeless women** aged 16 years or older and their children. Dawn House has a stated commitment to offering shelter to all women and their children in an atmosphere of acceptance and respect. Services are confidential; fees are based on income.

In addition, Dawn House:

- provides crisis intervention, information, referrals, and support via a 24-hour-a-day, 7-day-a-week crisis line
- provides basic necessities, information, and referrals to residents within a comfortable, supportive environment
- provides assistance with housing searches, and
- works cooperatively with a variety of community groups committed to empowering and supporting women and children, and to the development and provision of adequate, affordable, accessible housing.

Women in need of housing are able to contact Dawn House at any time using the crisis line.

**Dawn House is not considered a “safe” or “secure” shelter.** For example, the address of the shelter is not kept confidential; and security procedures and levels are significantly different from those maintained by interval and transition houses for abused women. Consequently, **it may not be appropriate to refer an abused woman to Dawn House for temporary shelter, especially if she is at any risk or in any danger.**

Also, Dawn House clearly states that it does not provide in-house counselling or support services to abused women; advocacy, information, and referrals are made to outside supports in those instances when women disclose abuse while staying at Dawn House.

Complaints or concerns about the quality or nature of services received or not received at Dawn House Women's Shelter can be directed to the frontline staff and/or Executive Director. In the event that the client remains dissatisfied with any resolution offered at this level, she may address her concerns to the Board of Directors in accordance with the procedures of the organization.

### *HIV/AIDS Regional Services*

613-545-3698

HIV/AIDS Regional Services (HARS) provides comprehensive HIV/AIDS education and support programs and limited Hepatitis C services in accordance with health promotion and community development principles. Services are available to individuals, agencies, institutions, correctional facilities, or groups in the Greater Kingston area, Belleville/Quinte West, Brockville, Smiths Falls, and Sharbot Lake areas. HARS has a stated commitment to inclusivity, diversity, and a client-directed, holistic approach to service development and delivery. Services are confidential and available free of charge.

Office hours are Monday to Friday, 9:30 a.m. to 4:30 p.m., closed for lunch daily from 12:00-1:00 p.m.

HARS is *not* mandated to provide any specialized services to victims of partner abuse. However, a variety of internal procedures and guidelines have been developed to support persons who are infected, affected, or at risk of HIV and/or Hepatitis C.

- Individual meetings are arranged for all first-time clients to explore needs and expectations, even in those instances when couples approach HARS for support services around HIV and related issues. This approach allows for victims of partner abuse to disclose abuse or control issues and to request ongoing individual support, referral, or other related services.
- In the event that a staff member is working with a couple and becomes aware that one of the service users is being abused in the relationship, either during the intake process or at any point during counselling, the staff member will recommend transferring one partner to a different/second staff member for ongoing service. The reason given to the abusing partner for this recommendation would not compromise the safety of the victim in any way.
- Partners within a couple are treated as individuals seeking service, not as a unit. Consequently, confidentiality is respected within the organization, and information about other service users, including a service user's partner, is not shared or disclosed by staff without explicit consent.
- Staff members complete risk assessments with service users who have disclosed partner abuse, provide information and referrals to appropriate services, such as shelters for abused women in the region or the PAR program at K3C, and provide financial assistance within program guidelines to assist with the implementation of a safety plan.
- HARS will provide practical assistance, such as transportation, for victims of partner abuse seeking safety in accordance with available resources.
- In the event that staff have reasonable grounds to believe that a service user has seriously harmed or has plans to seriously harm another individual, HARS retains the right to disclose confidential information to the proper authorities.

Complaints or concerns about the quality or nature of services received or not received through HARS are addressed initially by frontline staff. If the client remains dissatisfied with the resolution offered by the frontline staff member, s/he can request a meeting with the Executive Director and if necessary, a meeting with the Complaints Committee of the Board of Directors.

*Kingston Community Legal Clinic*

613-541-0777

Kingston Community Legal Clinic is mandated to improve the legal welfare of low income people living in the south part of Frontenac County with attention to legal problems relating to housing, social assistance, government assistance, and human rights. Kingston Community Legal Clinic strongly supports alternative dispute resolution processes that are accessible and effective including victim-offender mediation and family mediation.

Office hours are Monday to Thursday, 8:30 a.m. to 4:30 p.m. and Friday, 1:00 to 4:30 p.m.

Kingston Community Legal Clinic is not mandated to provide any specialized services to victims of partner abuse; however, clients of the Clinic are typically vulnerable members of our society and as such, some have experienced various forms of violence.

When working with a client who is also a victim of partner abuse, Clinic staff:

- advocate for clients to secure legal aid in the event that they need assistance with matters within the Clinic's mandate
- assist clients in their efforts to find a criminal lawyer in the event that they have also been charged with a criminal offence
- provide assistance, referrals, and support in relation to various issues that must be addressed by a separated person with limited or no income
- provide support and assistance to clients who are having problems with Ontario Works, and
- assist clients in their efforts to secure low income housing, including but not limited to filing appeals in those instances when a client is denied Special Priority Status as a victim of abuse or is denied housing.

Complaints or concerns about the quality and nature of services received or not received through Kingston Community Legal Clinic can be addressed to the Director. In the event that the complaint involves the Director or the client remains dissatisfied with the resolution suggested by the Director, s/he may direct the complaint to the Board of Directors, to Legal Aid Ontario, and/or to the Law Society of Upper Canada.

*Kingston, Frontenac and Lennox & Addington Public Health*

613-549-1232

The Kingston, Frontenac and Lennox & Addington Public Health (KFL&A Public Health) provides public health services to people in the communities of Addington, Central Frontenac, Frontenac Islands, Greater Napanee, Kingston, Loyalist, North and South Frontenac, and Stone Mills. More specifically, KFL&A Public Health provides multi-disciplinary services using a variety of health promotion and health protection strategies and interventions and responds to public health emergencies in cooperation with other community emergency services. Services are confidential.

KFL&A Public Health has a stated commitment to recognizing and respecting the uniqueness of individual clients and communities, to working in partnership with other organizations, and to developing accessible services in consideration of the physical, social, and economic determinants of health.

Office hours are Monday to Friday, 8:30 a.m. to 4:30 p.m.

KFL&A Public Health does *not* provide any specific services or programs for victims of partner abuse.

Some of the services available through KFL&A Public Health that may be of particular interest to women interested in maintaining a healthy, non-violent life for themselves and their children include:

- Healthy Babies, Healthy Children: a program for pregnant women and families with children up to 6 years of age which offers screening, assessment, referrals, home visits, milk coupons, and early identification and intervention services
- healthy nutrition programs, such as Food For You and Food For Two
- pre-natal and parenting classes
- breast-feeding classes, drop-ins, and telephone support
- and information sessions for women relating to healthy living.

KFL&A Public Health addresses many topics of interest to women and families with young children through organized media campaigns, presentations, and the distribution of resource information. In addition, KFL&A Public Health works collaboratively with other community agencies, groups, and service providers to ensure that services for children, youth, and parents are delivered in a coordinated manner.

Complaints about the services should first be dealt with at staff level (i.e. between the parties involved) and then addressed to the Director if there is no satisfactory outcome at the staff level.

*Kingston & Frontenac Housing Corporation*

Business: 613-546-5591

The Kingston & Frontenac Housing Corporation manages more than 1400 subsidized rental housing units located throughout Kingston and Frontenac in keeping with its primary mandate to promote equitable access for eligible applicants to affordable, safe, and secure housing. Permanent residents and non-residents with landed immigrant or refugee status are eligible to apply for this rent-geared-to-income housing. The Kingston & Frontenac Housing Corporation provides support and services to tenants residing in the units managed by the Corporation.

Applications for housing are processed chronologically; however, applicants who are or who have been victims of partner abuse are assigned priority ranking on the wait list.

The Kingston & Frontenac Housing Corporation has a stated commitment to treat all persons with respect and dignity regardless of their life circumstances.

Office hours are Monday to Friday, 8:15 a.m. to 4:15 p.m.; the office is closed from 12:00 noon to 1:00 p.m. daily. There are no services or supports available after hours, with the exception of on-call staff for emergency repairs.

*Kingston Military Family Resource Centre*

613-541-5010 x5195

The Kingston Military Family Resource Centre (KMFRC) is a registered non-profit, charitable organization that supports and enhances the health and well-being of the military community. KMFRC is mandated to provide crisis intervention, short-term counselling, information and referral services, and prevention programs to families of military members posted to CFB Kingston. The full spectrum of services provided by KMFRC is available to the entire military family; assessment and referral services and short term counselling are available to military family members in the context of couple and/or family counselling only<sup>11</sup>.

Office hours are Monday to Friday, 8:00 a.m. to 4:30 p.m.

In the event that military personnel become aware that a member of a military family is a victim of partner abuse, she will be referred to a social worker at KMFRC for short term counselling and/or referral to appropriate community-based services.

In the event that a social worker at KMFRC becomes aware that a client has been or is being abused in her intimate relationship, information and referrals to appropriate community-based services will be provided. Short-term counselling with clients may continue post-disclosure at the request of the client and in consideration of wait lists for community-based services.

The chaplains at CFB Kingston provide after-hours emergency services to military families, including crisis intervention services for victims or perpetrators of partner abuse.

Services provided by KMFRC personnel are confidential; however, staff retain the right to release certain information to the appropriate authorities if they have reason to believe the client may be of danger to herself or others, in the event that the staff member suspects child abuse, or in accordance with subpoenas.

Complaints or concerns about the quality or nature of services received or not received at KMFRC are directed to the staff person involved and if necessary, through the internal “communication line” identified by KMFRC - i.e., staff to supervisor to Executive Director to Board of Directors.

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<sup>11</sup>Military family members have access to individual counselling and support through a separate department/service at the Base.

*Legal Aid Ontario*

613-546-1179

The Ontario Legal Aid Plan provides financial assistance for legal fees under the guidelines of the *Ontario Legal Services Act* to individuals with limited or no financial resources who reside in Kingston and Frontenac County. Eligible individuals are approved to receive legal assistance, information and advice on family law matters concerning child welfare (such as child access, support, and custody disputes), division of assets, and Children's Aid Society matters.

Office hours are Monday to Friday, 8:30 a.m. to 4:00 p.m.

K3C (Women's Program), Kingston Interval House and Victim/Witness Assistance Program are mandated to provide victims of partner abuse with a certificate entitling them to two hours of legal advice, paid for by Legal Aid Ontario. Women may contact any lawyer who accepts legal aid clients and arrange for this two-hour consultation.

In some instances, Victim/Witness Assistance Program personnel may refer a victim of partner abuse to duty counsel during a court appearance for information or advice.

Complaints or concerns about the quality or nature of services received or not received from Legal Aid Ontario are addressed in accordance with a standardized internal complaint process.

*Limestone Mediation*

613-546-2548

Limestone Mediation has a contract with the Ministry of the Attorney General to provide comprehensive family mediation services, parent education, information about issues related to separation and referral to appropriate community resources.

Service is available in the Family Law Information Centre (FLIC), located in the Family Court Monday to Thursday from 9:00 a.m. to 3:00 p.m. and Fridays from 9:30 a.m. to 12:30 p.m.

Onsite mediation, referred by court personnel, is available Tuesday to Friday mornings.

There is no fee for these services.

Referrals for mediation may also come from the community; either from clients themselves or from other sources. Fees for offsite mediation are on a sliding scale. Appointment times can be flexible.

Clients are always seen individually for intake appointments. There is no fee for these sessions. At this time, screening, using the DOVE screening tool, is carried out. If abuse is indicated, it may be that mediation is not appropriate or mediation may occur with the institution of appropriate safety measures. Screening is ongoing; the mediators continuously monitor for signs of abuse, control, safety, etc. and take necessary steps to ensure that the process is working for both parties.

In any situation, as noted above, clients may be referred for counselling, legal advice, legal aid, to shelters, or other appropriate community resources. In situations where there may be immediate risk, safety planning is implemented.

Complaints or concerns about the nature of services received or not received from Limestone Mediation should be addressed directly with the staff person involved and then forwarded to the partnership group if necessary.

**Kingston Community Health Centres**

613-542-2949

North Kingston Community Health Centre, Better Beginnings for Kingston Children, Street Health Centre and the Immigrant Service of Kingston and Area (ISKA) together form the Kingston Community Health Centres (KCHCs). All four programs share a common philosophical premise and mission statement. We care for individuals and families, respond to their neighborhood and community concerns to improve their health and to build healthy communities.

We value our community members and believe that they are in the best position to know what they need in order to achieve and maintain the health of themselves and their community. We therefore encourage community engagement in all activities of the organization, including at the Board level through a community governance process.

KCHC has a stated commitment to diversity, inclusivity, and equality for all persons.

KCHC does *not* currently provide any specialized services to victims of partner abuse; however, all staff:

- provide support, information, and referrals to appropriate community-based services, such as Kingston Interval House, as necessary
- provide a safe, comfortable environment for disclosure in all groups and individual sessions/appointments regardless of the reason for their involvement with the client
- are trained to respond to individuals who may disclose experience with partner abuse

**North Kingston Community Health Centre** offers primary health care, individual support, programs/groups and services to the north Kingston community whose borders are Princess Street, Highway 401, Leroy Grant Drive and the Cataraqui River.

Medical and individual support services are provided by appointment. Programs/groups are offered on an ongoing basis and anyone living in north Kingston is welcome to attend.

Our community development team works with individuals and groups to promote the strengths and take action on the challenges identified by the community working on issues such as housing, poverty and its impacts, and community events.

The services provided by NKCHC are confidential and available free of charge.

Office hours are Monday to Friday, 8:30 a.m. to 4:30 p.m., evening clinic appointments are available.

In the event that a client discloses that he or she has been or is being abused in his or her intimate relationship, he/she will be referred internally to one of the social workers employed at the Centre. The social worker will meet individually with the client and offer support, information, and referrals to other appropriate services.

**Better Beginnings for Kingston Children** offers programs and supports for families with children from 0-5 years living in north Kingston. Programs include prenatal education and support, home visiting, parent-child support groups, parenting programs, and school readiness programs.

All of our services are free; assistance with transportation and childcare are provided when needed.

Our services are available to any family living in north Kingston, the area bounded by Princess Street, Highway 401, Leroy Grant Drive and the Cataraqui River.

The **Street Health Centre** is a harm reduction health centre. We specialize in providing accessible, responsive health services to communities that are often marginalized from mainstream health services.

Street Health began as a needle exchange program in 1992 and has since evolved into a “one-stop shopping” model, providing multiple health, disease prevention, primary care and treatment services.

Street Health has several priority populations including:

- people who use injection and illicit drugs
- people involved in the sex trade
- high-risk youth
- people who are homeless
- people recently released from incarceration

We are open 365 days a year and our staff consists of nurse practitioners, registered nurses, doctors, counsellors and administrative personnel. Outreach and extended hours are also offered at regular times through the week.

**Immigrant Services of Kingston and Area (ISKA)** began to operate in November 2006 with a goal of helping people new to Canada get settled and feel at home in their new community.

The **Settlement Program** provides help with a wide range of practical issues faced by new immigrants such as immigration documents, assistance with sponsorship and/or referrals to other community services. We provide information about housing, language studies, educational programs and employment services. The Settlement Services Workers are available to assist new

immigrants to solve problems and link to resources that will help them settle successfully in the local community. We work closely with KEYS Employment Services who provide a dedicated Employment Counsellor to work with new immigrants.

The **HOST Program** is designed to match new immigrants and their families with a volunteer Kingston host, either an individual or a family. The hosts organize social and recreational activities that can be enjoyed together. Sometimes we have several host and newcomer families gather for a potluck meal and other fun activities.

### *Options for Change*

613-546-1758

Options for Change is mandated to provide assessment, community-based treatment, and case management services to adults who are concerned about their substance use and/or who have a gambling problem. Services are available to residents of Kingston and North Frontenac. All services are confidential; however, Options for Change may release information to appropriate authorities if they have reason to believe that a client may be a danger to himself or others, if there is suspicion of child abuse, and/or in response to a subpoena.

Office hours are Monday to Friday, 8:30 a.m. to 4:30 p.m., the office is closed 12:00 noon to 1:00 p.m. daily.

Options for Change does not provide any specialized services for individuals with substance use or gambling concerns who are also victims of partner abuse; however, both victims and perpetrators participate in the various programs and services available through the organization. Separate groups for women are available; issues relating to partner abuse are discussed as necessary depending on client composition and need. Staff offer information and referrals to victims and perpetrators of partner abuse as necessary during their involvement with Options for Change.

Complaints or concerns about the quality or nature of services received or not received through Options for Change are addressed by the Executive Director. In the event that the client remains dissatisfied with the resolution offered by the Executive Director, s/he may forward the complaint to the Board of Directors.

*Pathways for Children and Youth*

613-546-8535

Pathways for Children and Youth is a community-based, multi-site organization mandated to provide a comprehensive range of mental health services to children, from birth to 18 years of age, residing in Kingston, Frontenac and Lennox & Addington Counties. Pathways has offices in Kingston, Amherstview, Napanee, Sydenham, Sharbot Lake, and Northbrook.

Services available to children and their families include but are not limited to:

- assessment and consultation
- individual, family, and group counselling
- parent support
- intensive in-home support
- out-of-home service (treatment foster care)
- day treatment programs
- intensive behaviour intervention for children under 6 years of age diagnosed with autism, and
- specialized services targeted at pre-schoolers
- Trauma Treatment Program (I.T.T.M.)

Services are confidential.

Office hours are Monday to Friday, 8:30 a.m. to 4:30 p.m., however, staff work flexible hours in order to accommodate the needs and schedules of their clients. For example, evening appointments may be scheduled for parents/families who are unable to meet with staff during regular office hours. In addition, Pathways provides an after-hours crisis intervention service in collaboration with Frontenac Community Mental Health Services.

Pathways has a stated commitment to client-driven, accessible services. Value statements for the organization confirm the agency's support for respectful relationships and its intolerance for abuse and discrimination of any kind.

Pathways is not mandated to provide specialized services to victims of partner abuse or to children with mental health problems who have been exposed to partner abuse; however, it is committed to working collaboratively with other agencies to ensure that clients' self-identified needs are addressed in a comprehensive and appropriate manner. To this end, **Pathways personnel have co-facilitated groups with staff from Kingston Interval House for children who witness or who have been exposed to partner abuse.**

In addition, victims of partner abuse and their children:

- have access to the full range of services available through Pathways
- are given support, information, and referrals to appropriate agencies and services following disclosure of partner abuse as necessary and in consideration of the clients' stated wishes, and
- will be offered concrete support to facilitate contact with other agencies such as Kingston Interval House, including but not limited to accompaniments.

Pathways staff develop crisis management and safety plans with many of their clients in relation to a variety of issues, including partner abuse.

Pathways staff work in partnership with other agencies and organizations to develop an individualized, collaborative treatment or intervention plan for clients living with or recovering from violence with attention to the mandates of each agency and in consideration of clients' stated wishes.

Complaints or concerns about the quality or nature of the services received or not received through Pathways for Children and Youth can be addressed directly with the staff person involved. In the event that the client remains dissatisfied with the resolution offered at this level, s/he may forward the complaint to the appropriate manager and on to the Executive Director and Board of Directors, if necessary. The written complaint process for Pathways is available in brochure format at all sites.

*Queen's University Human Rights Office*

613-533-6886

Queen's University Human Rights Office (HRO) acts as a resource for students, staff, and faculty facing harassment or discrimination and administers the Harassment/Discrimination Complaint Policy and Procedure. In addition to services provided to students, staff, and faculty, HRO staff may act as a resource to a general community member who wishes to lay a complaint against a member of the Queen's community under some circumstances; for example, when the alleged conduct occurred on the Queen's campus or at a university-sanctioned event.

Office hours are Monday to Friday, 9:00 a.m. to 5:00 p.m. on regular days of operation for the University.

Complaints may be addressed formally or informally in accordance with the Harassment/Discrimination Complaint Policy and Procedure. Complaints must be filed within six (6) months of the last incident of harassment or discrimination; however, the Policy recognizes exceptional circumstances that may prevent individuals from filing complaints within this six month timeframe.

**Partner abuse issues may be addressed through the Harassment/Discrimination Complaint Policy and Procedure in those instances when the abuse experienced includes elements of sexually harassing behaviours.**

When working with victims of partner abuse, HRO staff will:

- ensure that victims are aware of the various University-based and community-based medical, legal, and counselling options available to them
- assist in making referrals and/or accompany victims to medical, legal, or counselling appointments as requested by the victim
- provide information, assistance, and advice concerning their rights under the Harassment/Discrimination Complaint Policy and Procedure
- attempt to ensure that any internal actions taken in addressing a complaint will not jeopardize any actions the victim may wish to pursue through criminal, civil, or family court.

HRO also provides information and resources on partner abuse, sexual assault, and helping survivors of violence to victims and members of the Queen's community.

Complaints or concerns about the quality or nature of services received, or not received, from the HRO may be directed to the Director of the Human Rights Office or to the University Senate.

*Quinte United Immigrant Services, Central Eastern Ontario Translation and Interpretation Services*

613-968-7723

The role of interpreters associated with Violence Against Women Prevention Initiatives is, “To deliver, as faithfully as possible, messages transmitted between individuals who do not share a common language.”

Interpreters associated with Violence Against Women Prevention Initiatives work within the framework of a code of ethics which discusses: confidentiality, respect, impartiality, fidelity, conflict of interest and competence.

Interpreters are trained under the Ministry of Citizenship and Immigration’s guidelines and are accredited only after passing training and fluency testing.

Translation and interpretation services are provided in various languages and can be formatted in non-Roman characters.

Funding from the Ministry of Citizenship and Immigration allows Central Eastern Ontario Translation and Interpretation Services to provide free interpretation to agencies when serving limited-English victims under:

Violence Against Women Prevention  
Domestic Violence Court Project  
Hospital-based Domestic Violence Project

Interpretation is free for agencies serving victims of domestic violence.

Interpreters are available for face-to-face, teleconference or message relay services.

Complaints or concerns about the quality or nature of services received, or not received, may be directed to the Executive Director.

## Appendix Five: Provincial Agencies and Organizations

*Listed in alphabetical order*

### *Criminal Injuries Compensation Board*

**1-800-372-7463**

The Criminal Injuries Compensation Board (CICB) is an independent agency that awards compensation to victims of violent crime that resulted in personal injury or death as defined by the *Compensation for Victims of Crime Act*. Compensation may be awarded in those instances when a *Criminal Code* offence has been committed; however, conviction in relation to said offence is not required for application to the Board.

Victims of partner abuse or their surviving family members may make an application for compensation for a variety of expenses including:

- medical expenses resulting from injury or death
- counselling expenses
- loss of wages as a consequence of total or partial disability affecting the victim's capacity to work
- pain and suffering
- funeral expenses, and
- financial loss to dependents of a deceased victim.

Applications must be made within two years of the crime and in accordance with standardized procedures developed by CICB; victims may apply for an extension in those instances when more than two years have elapsed since the crime occurred. Victims may be required to attend a formal hearing to present their application; victims of partner abuse are encouraged to attend the hearing if possible as this provides an excellent opportunity to demonstrate the impact of the abuse on their lives. While not as formal as court proceedings, Board hearings follow a standardized "court-like" format. Victims are entitled to bring a designated support person to their application hearing and to arrange for written or verbal submissions to be made by professionals or service providers who have information relevant to expenses incurred by the victim. For example, it may be helpful and appropriate for a counsellor to make a presentation regarding the negative impacts experienced by the victim as a result of the abuse she has suffered.

Area service providers, including the Victim/Witness Assistance Program and Kingston Interval House, will ensure that victims of partner abuse are aware of their right to make an application to the CICB. Queen's Legal Aid will provide assistance to victims interested in making an application.

## *Ontario Parole & Earned Release Board*

**705-324-6615**

The Ontario Parole & Earned Release Board has legislated authority to grant supervised conditional release to adult offenders sentenced to serve less than two years in Ontario provincial correctional institutions. Its primary goal is to protect the public by releasing only those offenders considered to be a manageable risk.

Victims of partner abuse have the right to receive updates regarding parole hearing dates, decision to release on parole or deny parole, temporary absences, changes to scheduled release date, re-admission to a provincial institution, transfer to another jurisdiction, and/or escapes or failure to return from leave in relation to their offender. This information can be obtained through the Victim Notification System (VNS), a service available through the Victim Support Line (see below).

Victims of partner abuse also have the right to speak with Board members directly regarding specific concerns and to make a written application to attend hearings. Board Case Officers will provide victims with application forms, information, support, and assistance to facilitate their attendance and participation at the hearing; monies are available to cover transportation and/or accommodation costs for victims. Victims approved to attend hearings are entitled to make a verbal statement to the Board; victims may chose to make their statement in the presence of their offender or alternately, they may request that the offender be removed from the hearing prior to their presentation. Under some circumstances, arrangements may be made for victims to meet with the Board off-site to make a statement; for example, when a victim is particularly vulnerable. Board Case Officers offer victims assistance and guidance in the preparation of their statement in order to ensure it meets the needs of the Board. Specific protocols and procedures developed by the Ontario Parole & Earned Release Board provide additional detailed information relating to victims' rights and participation at hearings.

The **Victim Support Line (VSL)** (1-888-579-2888) is a province wide toll-free information line providing a variety of services to victims of crime as outlined below.

### **Victim Notification System**

The VNS keeps victims informed about the status and scheduled release date of **provincially sentenced offenders**. Victims may leave a message, name and telephone number, and they will be contacted within one business day by staff from the Ministry of Public Safety and Security and given available information about the present status of their offender. Alternately, victims may register with the VNS, in which case they will receive an automated voice message by telephone any time there is a change in status of their offender.

Information available through the VNS includes: parole eligibility and hearing dates; decision to release on parole or deny parole; temporary absences; terms and conditions of the probation order, conditional sentence order, parole certificate, or Temporary Absence Program agreement;

changes to scheduled release date; whether parole has been suspended, terminated, revoked, or continued; re-admission to a provincial institution; transfer to another jurisdiction; final warrant expiry date; the general geographic area of release; and/or escapes or failure to return from leave. In those instances when the offender is under a form of community supervision, the victim will be given the name and phone number of the supervising Probation & Parole Officer.

**Supports and Services Referrals**

Connects victims directly to the Kingston District Community Information Centre for referrals to appropriate counselling and community support services.

**Information on the Justice System**

Provides access to recorded information on how the criminal justice system works. This service lets victims review information at their own pace and may help victims familiarize themselves with the criminal system. It may be especially useful in those instances when a victim has urgent questions about the system and is unable to speak directly with an appropriate community service provider, such as a V/WAP staff member.

*National Parole Board***613-634-3587**

The National Parole Board (NPB) is an agency within the Ministry of the Solicitor General of Canada. The Board is an independent administrative tribunal that has exclusive authority under the *Corrections and Conditional Release Act* to grant, deny, cancel, terminate or revoke day parole and full parole for offenders sentenced to two or more years' incarceration. The NPB also has the authority to: order detention during the period of statutory release which means the offender in question will be held in prison until the end of his sentence and to grant, deny, and revoke formal pardons.

Victims of partner abuse must submit written requests to obtain information from the NPB about their offender; the NPB has developed a specific Information Request Form for this purpose. Following submission of the Request Form, victims may request information through the **Victim Information Services (1-800-518-8817)** about the starting date and length of sentence, the eligibility and review dates for various forms of conditional release, the date on which the offender is to be released, the date of any hearing or review, and information about any conditions imposed on the offender by the Board in any release.

Victims of partner abuse also have the right to provide information to the NPB. Victims may send copies of their written Victim Information Statements to the Board; in addition, they may submit written updates to their Statement prior to any scheduled release hearings. Any such information will be shared with the offender with the exception of personal information which may compromise the safety of the victim, such as her address and telephone number.

Victims of partner abuse can apply to attend and speak at NPB hearings at their own expense; alternately, they may apply to submit an audio or video statement to the Board prior to a specific hearing date. An application can also be made for a support person to accompany the victim as an "observer". Any such requests must be submitted in writing using the appropriate application forms developed by the Board. The Board has clear procedural guidelines relating to the presentation of statements and information at hearings; victims may request copies of Fact Sheets relating to these guidelines by contacting the Ontario Regional Office of the National Parole Board located in Kingston. NPB staff will provide victims with assistance in making applications to attend or speak at hearings and/or in preparing written statements for submission to the Board.

### *Other Ontario Partner Abuse Resources*

This limited resource listing is intended to give service providers who do not have extensive knowledge of the violence against women/partner abuse/family violence field some suggestions about where to turn for more information or for services in other parts of the province. Unless noted otherwise, services are free of charge.

#### **The Assaulted Women's Helpline**

1-866-863-0511 (toll free)

1-866-863-7868

[www.awhl.org](http://www.awhl.org)

This province-wide helpline is available 24 hours a day, 7 days a week, offering crisis counselling and referrals in more than 100 languages for women needing legal services, shelter, counselling or other services.

#### **Shelternet**

[www.shelternet.ca](http://www.shelternet.ca)

This website provides information about shelters for abused women and their children across Canada as well as information about abuse, how to identify it, how to support an abused woman, how to make a safety plan and links to other resources for women experiencing violence.

#### **Ontario Association of Interval and Transition Houses (OAITH)**

416-977-6619

[www.oaith.org](http://www.oaith.org)

This is the umbrella and advocacy organization for battered women's shelters in Ontario. It has information about shelters across Ontario as well as research and materials on the issue of violence against women, law reform, inquests into the murders of women in Ontario and other related topics.

#### **Ontario Coalition of Rape Crisis Centres**

[www.ocrcc.ca](http://www.ocrcc.ca)

This is the umbrella and advocacy organization for community-based rape crisis centres in Ontario. Its website offers information about centres across the province as well as about its ongoing projects and campaigns.

#### **Ontario Network of Sexual Assault and Domestic Violence Care and Treatment Centres**

[www.satontario.com](http://www.satontario.com)

This is the umbrella organization for hospital-based sexual assault and domestic violence centres in Ontario. Its website provides information about where centres are located, what services they offer and other related topics.

**Action ontarienne contre la violence faite aux femmes (AOcVF)**

[www.francofemmes.org/aocvf](http://www.francofemmes.org/aocvf)

This is the umbrella and advocacy organization for services for French speaking women in Ontario. The website contains information about services throughout the province as well as other related topics.

**Ontario Women's Justice Network**

[www.owjn.org](http://www.owjn.org)

This website provides detailed information about the law as related to violence against women, as well as step-by-step guides for women who need to navigate the legal system.

**Woman Abuse Council of Toronto (WACT)**

[www.womanabuse.ca](http://www.womanabuse.ca)

WACT is the central body for community coordinating committees in Ontario, with the mandate to improve the community response to woman abuse. It oversees the Provincial Coordinators Committee and organizes regular conferences and meetings for coordinating committees, as well as works on policy development and planning.

**Partial List of Other Community Coordinating Committees in Ontario**Durham Violence Prevention Coordinating Council

[www.vpcc.ca](http://www.vpcc.ca)

905-728-4968

Guelph Wellington Woman Abuse Coordinating Committee

[www.gwwomenincrisis.org](http://www.gwwomenincrisis.org)

519-836-1110 x 26

Kawartha Haliburton Domestic Violence Coordinating Committee

1-800-565-5350

Leeds Grenville Domestic Violence Advisory Committee

[info@victiminfo.ca](mailto:info@victiminfo.ca)

London Coordinating Committee to End Woman Abuse

519-432-2204

[slcoutler@lawc.on.ca](mailto:slcoutler@lawc.on.ca)

Muskoka Domestic Assault Review Team

800-461-1740

[mih.support@cogeco.ca](mailto:mih.support@cogeco.ca)

Peel Committee Against Women Abuse

[www.pcawa.org](http://www.pcawa.org)

905-282-9792

Quinte Coordinating Committee Against Violence

613-967-1416

[pattypark@sympatico.ca](mailto:pattypark@sympatico.ca)

Regional Coordinating Committee to End Violence Against Women (Ottawa)

613-725-3601 x 105

Sudbury Coalition to End Violence Against Women

715-524-9629

Thunder Bay Coordinating Committee to End Woman Abuse

[www.committeetoendwomanabuse.ca](http://www.committeetoendwomanabuse.ca)

807-345-0450

York Region Violence Against Women Coordinating Committee

[yrvawcc@sympatico.ca](mailto:yrvawcc@sympatico.ca)

905-751-9971

## Appendix Six: Safety Planning

The repetitive and often escalating nature of partner abuse demands that all service providers who work with victims of partner abuse in whatever capacity have a basic understanding of safety planning, including but not limited to police officers and emergency personnel at the hospital. Service providers who work extensively or exclusively with victims of partner abuse, such as shelter staff and community-based counsellors who work with abused women, often have considerable, specialized expertise relating to safety planning which they are willing to share with other service providers. Contact Kingston Interval House for more information on safety planning for and with abused women and their children.

Victims of partner abuse may need to develop and revise various safety plans during and subsequent to their involvement with an abusive partner, depending on their specific circumstances, needs, and decisions regarding continuation or termination of the relationship. For example, a victim may benefit, initially, from the development of an emergency safety plan outlining strategies for emotional and physical safety during and immediately following an explosive, violent incident. In the event that she leaves her abusive partner, the victim may need help revising her safety plan with attention to safety while living apart from her abuser, safety at work, and safety in the neighborhood.

It is essential that careful consideration be given to any safety implications that may relate to the development of the plan itself. For example, it may be dangerous for some victims to maintain a written safety plan at their home residence. Service providers must help victims determine what kind of safety plan will best meet their needs, whether the plan should be a written plan or a verbal “working plan” and, if written, where the plan itself should be maintained - i.e., at home, at work, at a friend’s.

Regardless of the specific purpose or format of a victim’s safety plan, **all safety plans** should include:

- a clear reminder that partner abuse is a crime
- contact information for emergency services including crisis lines and local shelters
- contact information for emergency transportation, such as a taxi company’s number or the work and home telephone numbers of a friend who has agreed to provide emergency transportation
- confirmation of “safe locations” for the victim and her children, such as shelters, or a specific friend, co-worker, neighbour, or family member’s home, and
- identification of emergency exit information, telephone locations, and fire alarm locations for relevant buildings, such as the victim’s home and/or place of work.

**Other information** that may be important or relevant to incorporate into safety plans, depending on the victim's specific circumstances and needs, includes:

- a reminder that risk often increases for victims and their children after they leave the abuser
- a reminder that children may be used as pawns by offenders and, therefore, should be included in the safety planning process and given specific instructions on what to do and where to go when they see the abuser and/or when a violent episode occurs
- a list of important documents, cards, and information that should be compiled and ready for easy transport if necessary including but not necessarily limited to birth certificates, health cards, passports, immigration papers, work permits, financial records, bank cards and bank books, driver's licence, S.I.N. card, work ID or any other picture identification cards, charge cards, property deeds/leases, loan agreements, and mortgage papers
- a suggestion that she make photocopies of as many of the documents, cards, and information listed above as possible and that she secure these copies in a location separate from the originals
- a suggestion that important keys be readily accessible and/or duplicated and hidden for quick access including but not limited to house keys, work keys, car keys, and safety deposit box keys
- a suggestion that she open a bank account, at a bank and branch other than the one used by her offender, and make an effort to save some independent financial resources
- a suggestion that she hide small amounts of cash in multiple, readily accessible locations
- a suggestion that she prepare and hide a suitcase with essential, important, and comforting items for herself and her children; it may be appropriate and necessary to hide the suitcase at work or at one of the victim's other "safe locations"
- a reminder that police officers will escort her to her residence to collect her belongings, including important and essential documents, if she and her children are forced to leave on an emergency basis, and
- encouragement for the victim to tell trustworthy friends, family members, co-workers, and neighbours about the violence and abuse so that they might respond effectively in the event that she requires emergency assistance and/or "goes missing".





## Appendix Eight: Glossary of Terms

### TYPES OF VIOLENCE & ABUSE

#### Partner Abuse

Includes a broad continuum of coercive, threatening, and violent behaviours designed to control the thoughts, feelings, and actions of another person through the use of fear, intimidation, humiliation, and pain, including but not limited to emotional and psychological abuse, financial control and abuse, physical violence up to and including murder, sexual violence, and stalking/harassment, within a current or previous intimate relationship. Such behaviours may occur as a one-time incident causing physical and/or emotional injury to the victim and her family; however, in most instances, partner abuse involves repeated episodes of coercive, threatening, and violent behaviour which escalate in severity over time.

The victims of partner abuse are primarily, though not exclusively, women; the perpetrators of partner abuse are primarily, though not exclusively, men. The use of the term partner abuse throughout this Protocol recognizes that coercive and violent behaviours occur in both heterosexual and same-sex relationships; it further recognizes that there are female perpetrators of violence and male victims of violence. However, in keeping with our current understanding of the causal factors, dynamics, and incidence of partner abuse, victims are referred to as “she” and perpetrators as “he” throughout this Protocol.

#### Emotional and Psychological Abuse

Includes a wide range of actions and behaviours intended to hurt, demean, criticize, humiliate, threaten, and/or control another person through the inducement of fear, anxiety, confusion, and dependence, including but not limited to:

- ongoing and intense criticism
- name-calling and other forms of verbal abuse designed to hurt, embarrass, and humiliate
- threats to harm self
- threats and violence towards others, including family members, friends, and co-workers
- threats and violence towards pets and personal property
- threats associated with immigration status, marital status, and custody and access
- reckless and dangerous behaviour, such as running red lights and dangerous driving
- inappropriate and excessive expressions of jealousy and possessiveness
- excessive interest in and control over daily activities, and
- imposed social isolation.

#### Financial Control and Abuse

Includes a wide range of behaviours designed to reinforce the power and control of the offender, increase the victim’s dependence, and decrease the options for independent decision-making available to the victim, including but not limited to:

- withholding, restricting, and controlling money required for the necessities of life and/or the comfort and well being of the victim, dependents, and/or the family
- disproportionate and irresponsible spending in relation to the offender's personal needs, wants, and interests to the detriment of the victim and/or family
- withholding information about the financial resources of the couple/family and/or household financial matters
- denying access to bank accounts and financial records, and
- coercion to sign financial documents.

### **Physical Violence**

Includes a wide range of violent, hurtful, and aggressive behaviours including but not limited to:

- hitting, punching, and slapping
- kicking
- shoving, pushing, dragging, and hair pulling
- restraining, confining, and binding
- spitting and biting
- choking
- burning with fire or chemicals, such as acid
- withholding food, medications, and other necessities of life
- using objects and weapons to injure or maim, and
- and murder

### **Sexual Violence**

Includes a wide range of sexually intrusive, abusive, and controlling behaviours designed to meet the needs of the offender with callous disregard for the needs or well being of the victim, including but not limited to:

- any unwanted or forced sexual contact with partner or others
- any unwanted or forced use of objects during sexual contact
- any unwanted or forced modifications to a person's body, such as shaving pubic hair
- withholding sexual, physical, or intimate contact
- exposure to and/or forced participation in pornography
- exposure to and/or transmission of sexually transmitted diseases by denying use of protection and/or denying possibility of transmission, and
- sexually humiliating and demeaning comments, jokes, and accusations.

### **Stalking and Harassment**

Includes a wide range of behaviours designed to maintain unwanted or forced contact between an offender and his victim, generate fear, and/or to allow the offender to observe, monitor, and control his partner's movements and activities.

Some forms of stalking and harassment are against the law. Section 264 of the *Criminal Code of Canada* prohibits **criminal harassment** as defined below:

No person shall, without lawful authority, engage in the listed conduct that causes the other person to reasonably fear for his/her safety or the safety of others:

- a) Repeatedly following from place to place the other person or anyone known to them
- b) Repeatedly communicating with, either directly or indirectly, the other person or anyone known to them
- c) Besetting or watching the dwelling, house or place, where the other person or anyone known to them resides, works, carries on business or happens to be - or -
- d) Engaging in threatening conduct directed at the other person or any member of their family.

## GLOSSARY OF COMMON LEGAL WORDS

The following is a list of some of the words that are used frequently in both criminal and family court. This resource is not intended to replace legal advice or representation, but rather to provide basic definitions to assist the reader with a general understanding of the word or topic.

This glossary has three parts – general words, criminal charges and words specific to family court.

### GENERAL TERMS

**Absolute discharge:** This means that even though the accused was found guilty, the court does not register a conviction against him, with the result that he does not have a criminal record.

**Accused:** This is the word used to identify the person who has been charged with committing a criminal offence. Before he is charged, he may be known as the “suspect.” During the trial proceedings, the accused is commonly called the “defendant.” If he is found guilty, he may then be called the “perpetrator.”

**Acquittal:** When the accused is found not guilty of the charges against him, he is given an “acquittal.”

**Adjournment:** Court cases are often postponed to a later date – this is an adjournment. In criminal court, either the Crown or the accused can request an adjournment and in family court anyone who is a party can request one. People often ask for an adjournment to give them time to find a lawyer or to prepare their case.

**Arrest:** This is when the police detain someone, telling them they are not free to leave until further notice. Often, an arrest will take place at the same time as a person is charged with an offence, but not necessarily. The police can arrest someone and keep him in police custody for some time while conducting an investigation and deciding whether or not to lay a charge. If the police decide not to lay a charge, the person will be released.

The right to speak to a lawyer only exists from the time a person is charged. A person would not be fingerprinted or photographed until a charge is laid.

**Bail:** When someone is charged with a criminal offence, he can be released by the police directly from the police station if he promises to appear in court on a specified date. When the charge is more serious, the person will only be released after there has been a bail hearing in court. At this time, the accused person's lawyer will tell the court why the accused person should be released from custody and the Crown Attorney will tell the court if there are any concerns about releasing the person.

Usually, the person will be "granted bail," which means he can be released. There will probably be some conditions on the person's behaviour and actions – they may have to abide by a curfew, live in a certain place, report to the police, hand their firearms over to the police, not drink, etc. In cases of partner assault and sexual assault, the accused will not be allowed to have any contact with the victim. Sometimes, he will have to have a person stand up in court and agree to take responsibility for his behaviour. This person is called a "surety" and may have to promise the court to pay money if the accused person breaks his bail conditions.

Bail is sometimes called "judicial interim release."

**Beyond a reasonable doubt:** Different standards of proof are required by different courts. Criminal courts demand the highest standard of proof of any court. This is because a finding of guilt can result in the accused losing his or her liberty by going to jail. In order for an accused to be found guilty, the evidence must establish "beyond a reasonable doubt" that he or she is guilty. In other words, there must be no reasonable explanation for what happened other than that the accused did it. If there is any other reasonable explanation, the accused will not be found guilty.

**Breach of Probation:** When a person does not follow the terms and conditions of his probation order, he has committed a breach. A new charge can be laid against someone for this.

**Breach of Undertaking/Recognizance:** When a person fails to comply with the terms and conditions of his undertaking or recognizance, he has committed a breach. It is a criminal offence to breach an undertaking or recognizance.

**Complainant:** In the language used by police, lawyers and other criminal court officials, the victim of a crime has different names at different stages of the process. First, she is the victim. She becomes a "complainant" when she goes to the police and gives a statement about that has happened. Once a charge is laid and the case is passed to the Crown Attorney, she will become known as the "witness."

Many women who have been the victims of violence reject this formalized language that describes them as victims or complainants, and prefer to use the word "survivor" to describe their initial experience at the hands of the accused person but also of the legal system.

**Conditional discharge:** Sometimes, when someone is found guilty, they are required to fulfill certain conditions as part of their penalty. This could include such things as completing a drug rehabilitation program or participating in a male batterers' program. If the person is successful in completing the conditions, he is "discharged" or let go and will have no criminal record for this offence. If he is not successful, the judge can withdraw the discharge and enter a criminal conviction against him.

**Court:** This is the place where trials take place and court-related services have their offices.

Criminal trials take place in the criminal court, which is a provincial court. The criminal court also has offices for the Crown Attorney, Justices of the Peace, judges, duty counsel and the Victim/Witness Assistance Program, as well as an office where fines can be paid. There are usually also holding cells in the building, where people who are in custody are kept when they are not in the courtroom.

Family trials take place in the family court, which may be federal or provincial. This courthouse also contains the Family Law Information Centre, offices for duty counsel, meeting rooms and waiting areas.

**Criminal Code:** The *Criminal Code* is a very large book that lists, defines and describes everything that is a crime in Canada. It applies in every province and territory in the country. Anyone found guilty of an offence that is listed in the *Criminal Code* has committed a criminal act. Other statutes that regulate the behaviour of people in Canada include the *Youth Justice Act*, *Narcotics Control Act* and the *Firearms Control Act*.

There are many illegal acts that do not fall within the scope of the *Criminal Code*. These activities are often governed by provincial legislation and will vary from province to province. People can be found guilty of them and be sentenced to penalties that include jail time.

The offences that fall within provincial authority tend to be of a less serious nature than those that fall under the authority of the federal *Criminal Code*.

**Criminal trial:** When someone is charged with a criminal or provincial offence, the case immediately begins proceeding towards a trial.

Along the way, there are many opportunities for a non-trial resolution. For instance, the accused person might plead guilty in which case there would not be a trial. The Crown might withdraw the charges. The defence lawyer and the Crown might work out a plea bargain.

However, if there is no such resolution, the case will eventually go to a trial, at the end of which the accused will either be found guilty or not guilty. Following this phase, if the accused has been found guilty, a hearing is held to determine the appropriate penalty.

**Cross-examination:** This is one of the kinds of questioning for a witness in a trial. It is done by the lawyer on the other side of the case. In a criminal trial, the accused is cross-examined by the Crown and the victim is cross-examined by the defence lawyer. In a family trial, the mother and any of her witnesses are cross-examined by the father's lawyer and he and his witnesses by the mother's lawyer. The main purpose of cross-examination is to test the credibility of the witness. It is very difficult to be cross-examined, as the lawyer can often make the witness feel as though she is stupid or lying.

**Crown Attorney:** The Crown Attorney is the lawyer who represents the state in a criminal trial. Crown Attorneys prosecute criminal cases; they argue against the defence. Crown Attorneys are public employees and are responsible to the government. They do not represent the victims of the offence. This can be confusing to a victim who may feel that the Crown Attorney is her own lawyer. While the Crown Attorney will respect the wishes and concerns of the victim as much as possible, her/his first priority is to represent the interests of the community/state.

Each geographic district has one Crown Attorney and any number of Assistant Crown Attorneys, who handle most of the criminal cases.

**Defence lawyer:** This is the lawyer who represents the accused person in a criminal trial.

**Duty counsel:** This is a lawyer provided by the state to assist people at no cost who do not have their own lawyer and who qualify financially. For instance, in criminal court, an accused who does not have a lawyer can use duty counsel to assist with a bail hearing, a guilty plea or an adjournment. In family court, any party to a proceeding can get basic legal advice and assistance from duty counsel. Duty counsel cannot conduct a trial for someone.

**Election:** In a criminal case, some charges are indictable, some are summary and some are hybrid. Each of these terms is defined elsewhere in this glossary. If a charge is hybrid, the Crown Attorney chooses whether to proceed by way of indictment or by way of summary conviction. This is called the election of proceedings.

**Examination in chief:** This is one of the kinds of questioning for a witness in a trial. It is done by the lawyer on the same side as the witness. In a criminal trial, the accused and any of his witnesses are examined in chief by the defence lawyer and the victim and any witnesses on her side by the Crown Attorney. In family court, each person and their witnesses are examined in chief by that person's lawyer (for example, the mother and her witnesses are examined in chief by the mother's lawyer). This examination provides the witnesses to give their detailed story of what has happened.

**Guilty:** In a criminal case, the accused may decide to plead guilty, which is admitting he is responsible for the act. If he does not, there will be a trial, at the end of which, depending on the evidence, he may be found guilty.

**Hybrid offence:** Some criminal charges can be tried as either a summary or an indictable offence. These charges are called hybrid offences. The Crown Attorney makes the choice as to how to proceed, which is called an election.

**Incarceration:** When a person has been convicted of a criminal offence, there are a number of possible penalties that can be imposed by the judge. Incarceration, which means the person must spend a period of time in either a provincial jail (if the period of time is less than two years) or a federal prison (if the time is two years or more) is the most severe. Frequently, individuals found guilty are punished by being placed on probation, by having to pay a fine and/or by having to serve what is called a conditional sentence. This means that they are under a form of “house arrest” – while they are not in jail, their movements are limited and other conditions may be placed on their activities.

**Indictable offence:** Charges that are considered more serious are called “indictable.” The maximum penalties are higher. The accused has more options available to him in terms of how the case proceeds, including the right to a trial by jury.

**Intermittent sentence:** When someone convicted of a criminal offence receives a jail sentence of 90 days or less, he may be allowed to serve it on weekends, which is an intermittent sentence.

**Judge:** A judge may be either federally or provincially appointed. Judges, who must be lawyers, have the authority to hear criminal cases and decide on the outcomes – in criminal court, judges decide whether or not the accused person is guilty and what penalties are appropriate for people who are found guilty. Criminal court judges also may rule on bail, although most bail is handled by Justices of the Peace. In family court, judges make decisions on custody and access, restraining orders, support, division of property, adoption and child protection cases.

**Justice of the Peace:** These people, who do not have to have had legal training, are provincially appointed and have fewer areas of responsibility than do judges. In addition to handling most bail cases, JPs issue warrants and hear provincial offences cases and decide on the outcomes.

**No contact order:** This is an order of the court, either criminal or family, that prevents one person from having any contact with another. Often, this is a condition of a bail order. Other kinds of no contact orders include probation orders, peace bonds and, in family court, restraining orders.

**No publication order:** In some kinds of criminal trials, including any involving children or sexual assault, the judge can make an order preventing the media from printing information that could identify the victim. These orders are also known as “publication bans.”

**Own recognizance:** At a bail hearing, the accused may be released “on his own recognizance” which means he does not have to post any bail money or provide a surety to be released from custody. There may, however, be conditions on his behaviour.

**Parole:** Someone who has been given a prison sentence of two or more years can apply to be released from prison after serving only part of his sentence. If successful, he will be released “on parole.” A parole officer will be assigned to that person, who may have conditions similar to bail conditions imposed on him. In other words, he will not be in prison, but will not be completely free either. The conditions may lessen over time if there are no problems, but if he breaches any of the conditions, he can be re-arrested and returned to prison for the rest of his sentence. His parole, and the conditions on his behaviour, continue until the end date of his sentence.

**Peace bond:** This is an order obtained in criminal court that can require one person to stay away from another, as well as to keep the peace and be of good behaviour. Peace bonds can last a maximum of 12 months. Breaching a peace bond can lead to a jail sentence of up to 12 months.

**Plea bargaining:** In criminal cases, the Crown Attorney and the defence lawyer meet several times to discuss what should happen. Sometimes, the Crown Attorney will agree to reduce the charge(s) to a less serious one or to reduce the penalty if the accused person agrees to plead guilty. This process is called plea bargaining.

**Pre-sentence report:** Once an accused has been found guilty, the judge may order a pre-sentence report (PSR). A probation officer meets with the person and others to write a report that describes his personal situation to help the judge decide on an appropriate penalty. The report may make recommendations; for example, that the person get counseling for a drug problem or that he not live with his family for a period of time.

**Probation:** When a person convicted of a criminal offence is released into the community without going to jail, he is on probation. Sometimes, people first serve a short jail sentence and then are released, but are still on probation. During this time, the person will likely have to follow conditions similar to bail conditions. If he breaches them, he can be arrested and sent or returned to jail.

**Subpoena:** This is an order from the court requiring the person to whom it is given to appear in either criminal or family court to testify in a trial. If the person fails to go to court on the date stated in the subpoena, a police officer may come to get her right away so the trial can proceed or a warrant may be issued for the person’s arrest.

**Summary offence:** A summary offence is a crime that is considered less serious and for which the maximum penalties are lighter. The accused has his trial in front of a provincial court judge, with no option to have a trial by jury. Generally, if convicted, the accused can receive a fine of not more than \$2,000 and/or a jail sentence of no more than 6 months. However, if the conviction is for criminal harassment or sexual assault, the maximum penalty is 18 months incarceration.

**Summons:** This is a legal document requiring an accused person to appear in court on a specified date.

**Surety:** This is a person who agrees to be responsible for the behaviour of the accused while he is out of custody on bail.

**Suspended sentence:** Sometimes, a judge will order a jail sentence and then suspend it, which means the person does not actually have to go to jail, as long as he follows certain conditions. If he does not follow the conditions, the judge can send him to jail to complete the original sentence.

**Testify:** This is when someone, in court, gives evidence under oath; that is, tells her story about what she has seen and/or heard.

**Victim:** This is the person who has been harmed by the accused.

**Victim Impact Statement:** This is a written statement that the victim can prepare after the accused has been found guilty. In it, she talks about the effects on her of what the accused has done.

**Victim/Witness Assistance Program:** This is a program in the criminal court to support and assist victims and witnesses. The workers meet with victims to explain how the court process works, keep them informed of the progress of their case and accompany them to court if this is what the victim wants.

**Warrant:** This is an order from the court that gives the police the authority to arrest someone or, in the case of a search warrant, to search a person or a place.

## **SOME COMMON CRIMINAL CHARGES IN VIOLENCE AGAINST WOMEN CASES**

**Assault:** When someone touches another person, directly or indirectly, without that person's consent or when the person attempts or threatens, by an act or gesture, to touch another person, if the person has or can make the other person believe he has the ability to carry out his threat, an assault has occurred. This is a criminal offence, whether or not the victim has any injuries.

**Assault with a weapon or causing bodily harm:** This is assault when the person carries, uses or threatens to use a weapon or an imitation of a weapon or causes physical harm that interferes with the health or comfort of the victim. This is a criminal offence.

**Aggravated assault:** This is assault that involves wounding, maiming, disfiguring or endangering the life of the victim. This is a criminal offence.

**Criminal harassment:** This is the legal term for stalking. It is illegal for someone to repeatedly follow someone from place to place, repeatedly communicate with that person, spend time outside that person's house or workplace or make threats against the person, if it causes that other person to be fearful for her safety.

**Forcible confinement:** No person can legally force another person to remain somewhere or interfere with (block) the person from leaving a place. Anyone who does this can be charged with forcible confinement.

**Sexual assault:** Any unwanted touching of a sexual nature is sexual assault. This can range from touching of sexual parts of the body to vaginal or anal penetration. As with other assaults, if weapons are involved or there is serious physical injury, the charge can become either sexual assault with a weapon or aggravated sexual assault.

**Uttering threats:** It is a criminal offence to utter a threat to kill or seriously harm another person, to destroy another person's property or to injure or kill an animal or bird belonging to another person.

## **SOME COMMON FAMILY LAW TERMS**

**Application:** A proceeding in family court begins when one person brings an application, in which she lists what she is seeking – for instance, custody of the children, child support and so on.

**Arbitration:** Some couples decide to use an arbitrator rather than going to court to resolve their issues after separation. Arbitrators, who may or may not have legal training, provide a binding decision just as judges do. They must follow Canadian law in reaching their decisions, which can be appealed.

**Balance of probabilities:** Different standards of proof are required by different courts in order to establish guilt/liability. In family court, the standard of proof is on a balance of probabilities, which means the judge has to believe that one person's story is more likely than not to be true as compared to the other person's story. This is a much lower standard of proof than that required in criminal court, which is beyond a reasonable doubt.

**Best interests of the child test:** This is the test used to determine appropriate custody and access arrangements for children after the parents separate. Judges must consider such criteria as which parent can offer the child the greatest stability, which parent will maintain contact with the child's extended family, which parent has the greater ability to meet the child's needs and so on. The wishes of the child will be considered if the child is old enough to communicate them.

**Child and Family Services Act:** This is the legislation in Ontario that governs child protection and the operation of the Children's Aid Society across the province.

**Child support:** This is the money that is paid by the parent with whom the children spend less time to the other parent to help with the financial support of the children. It is determined by examining the income of the person who will be paying the support.

**Children's Law Reform Act:** This is the legislation in Ontario that governs child custody and access. Section 24 sets out the best interests of the child test.

**Custody and access:** After parents separate, or if they have never lived together, it is necessary to make legal arrangements for how the children spend time with each parent. Custody refers to the parent who has the primary responsibilities for the children; access to the time the other parent spends with them. There can be sole custody, in which one parent has all the legal responsibilities or joint custody, in which these responsibilities are shared. Access can be supervised where there are concerns about the safety of the children or unsupervised. Custody and access orders are extremely varied and reflect the needs of each family.

**Division of property:** When married people separate, they must divide up all of their belongings. The law requires that any property they accumulated while they were married be shared equally between them, regardless of who paid for it. If the two people cannot agree on this, they can go to court to get an “equalization of net family property.” Property includes physical things like houses, cottages, trailers, cars, boats and furniture but also includes pensions, RRSPs and other financial investments. It also includes debts, for which both people are responsible.

**Divorce Act:** This is the federal law that applies to people seeking a divorce. It also sets out how custody, access, support and property division are to be handled. It is a law that applies to people everywhere in Canada.

**Family Law Act:** This is an Ontario law that governs division of family property, support and restraining orders.

**Family Law Information Centre:** These offices in family courts are a center for information about family law. People can speak with an advice lawyer and other staff to assist them in obtaining basic family law information as well as information about how to start a family court proceeding. The services are free.

**Matrimonial home:** This is the home where the couple lived, whether it was owned or rented by them. It can be a house, an apartment, a trailer, a boat – anywhere they lived as a couple. It is possible to apply to the family court for an order for exclusive possession of the matrimonial home. Whichever person is successful in this can then change the locks on the home, and the other person is not allowed on the property. This does not affect the ownership of the home – just who can live there.

**Mediation:** This is a process in which the separating couple can meet with a third party to try to come to a compromise on issues of disagreement. The mediator cannot force the people to agree to something but can make suggestions and help them work towards a common position.

**Motion:** Motions are court proceedings brought on interim matters, while the case is moving towards a final trial. They are commonly used in family court to establish interim custody, access and child support arrangements and to obtain restraining orders.

**Restraining order:** This is an order from the family court that keeps one person away from another.

**Settlement conference:** Most family cases involve a settlement conference, when the people, their lawyers and the judge meet outside the courtroom to try to resolve the case or at least some of the issues.

**Spousal support:** This is support paid by the spouse with the higher income to the other spouse in order to address any financial differences that are the result of the marriage (for example, the woman who stays home for 20 years to raise the children is likely to receive spousal support from her husband, if he continued working through those years).

## Appendix Nine: Resources

### ***Setting the Context***

Violence against women, often called domestic violence, family violence or partner abuse, remains a serious and entrenched social problem in Kingston, Frontenac County, Ontario, Canada and the world.

*It's the world's most pervasive human rights violation. It's the violation most often ignored. Every minute of every day, women and girls around the world are assaulted, threatened, raped, mutilated, killed. (Amnesty International Canada Stop Violence Against Women Campaign)*

While great strides have been made to increase services to victims of woman abuse and their children, the sad reality is that levels of male violence against women remain as high as ever. Indeed, the numbers of women and children killed by men who say they love them are shockingly high.

Between 1995 and 2006 in Ontario, 240 women and 36 children were killed in incidents of violence against women.

These fatality numbers are serious and cause for much concern. However, the numbers of women and children who use the services of battered women's shelters and the even higher numbers of women and children who simply remain in abusive homes is perhaps of even greater concern. Here are some of the numbers:

- globally, at least one of every three women reports being beaten, coerced into sex or otherwise abused in her lifetime, usually by a member of her family or someone known to her (Amnesty International)
- the Council of Europe has stated that domestic violence is the major cause of death and disability for women between the ages of 16 and 44 (Amnesty International)
- only 79 countries have laws against domestic violence and only 16 have laws against sexual assault (Amnesty International) and, even in those countries, appropriate charging and prosecution remain a challenge for many women, especially those marginalized by race, immigration status, class, disability or age
- in Canada, in 1998, approximately 80% of victims in reported cases of sexual assault were women and 98% of the accuseds were men (Juristat, Canadian Crime Statistics)
- women constitute 88% of all reported spousal violence victims in Canada (Family Violence in Canada: Statistical Profile, 1999)
- violence often escalates after separation (Canadian Social Trends, Statistics Canada)
- young women under 25 years of age are at greatest risk of spousal homicide in Canada (Family Violence in Canada)
- there are 543 shelters providing services to battered women and their children in Canada

- in 2003/04, 58,486 women and 36,840 dependent children spent time in battered women's shelters in Ontario. Of these, 40% had been in a shelter in the previous year and 38% had used a shelter two to four times previously. One-third of the women using shelters were between the ages of 24 and 35. (Juristat: Canada's Shelters for Abused Women, reported in Statistics Canada's publication, *The Daily* on June 15, 2005)
- in 2005, Kingston Interval House provided residential services to 355 women and children and outreach services to 222 women and children. 2506 crisis calls were handled by the shelter
- Kingston Police Force took 911 domestic violence related calls in 2005 – more than two a day
- since 1997, 5 women have been killed by their partner or former partner in Kingston and Frontenac County
- only approximately 28% of women report spousal assault to the police

It is also worthy of note that, according to Amnesty International, violence against women in Canada costs approximately \$4.2 billion/year, including the costs of police and government services, medical care and lost productivity.

### ***Getting from There to Here***

In 1967, as Canada celebrated its Centennial year, Prime Minister Lester Pearson established the Royal Commission on the Status of Women to

"inquire into and report upon the status of women in Canada, and to recommend what steps might be taken by the Federal Government to ensure for women equal opportunities with men in all aspects of Canadian society, having regard for distribution of legislative powers under the constitution of Canada, particularly with reference to federal statutes, regulations and policies that concern or affect the rights and activities of women. . . ."

Despite the many important recommendations made by the Commission, the issue of violence against women was not even mentioned in either its report or its recommendations. There is no doubt that we have accomplished a great deal in the almost 40 years since; there is also no doubt that much remains to be done.

The following material is intended to provide some general information about initiatives undertaken in Ontario and Canada to address the issue of violence against women and challenges that have arisen with some of these initiatives.

### ***Past Law Reform Initiatives***

Over the past 20 years, Canada and Ontario have instituted a number of important measures intended to improve the response to violence against women, including:

- mandatory charging policies in cases of spousal violence, introduced across Canada in the early to mid 1980s, took the responsibility of deciding whether or not to lay charges away from the victim and gave it to the police. As a result, the rate of charging increased significantly;
- specialized Domestic Violence Courts were introduced in many parts of the province;
- the creation of the Victim/Witness Assistance Program provided important support for victims of domestic and sexual violence who are involved with the criminal court process;
- amendments to many of the sexual assault provisions in the *Criminal Code* made it illegal for men to rape their wives, clarified the issue of consent, limited the accused's access to the private records of the victim and eliminated the defence of intoxication.

Unfortunately, in some cases, the outcomes of these well-intentioned measures have proven to be negative. For instance, despite the very positive intentions of policymakers, mandatory charging policies have not helped all women. Many women do not want their partner charged criminally – they may depend on him financially, may want to try to effect a reconciliation or may fear increased violence if he is charged. Immigrant women may be concerned their spouse will be deported if he is charged with a criminal offence.

For some women, mandatory charging policies have led to *them* being charged if the police officer has not taken the time to conduct a thorough investigation to determine who is the primary aggressor over the life of the relationship.

One of the most challenging and controversial legislative changes in the area of violence against women has been the amendments to child protection provisions across the country. They have led to a significant increase in the reporting of woman abuse to child protection authorities. While there is little or no argument with the contention that children who witness violence in the home are affected negatively as a result, there is considerable disagreement about what to do about it. Many women's advocates and increasing numbers of children's advocates believe that the present approach of treating this as a child protection issue is not effective, as women who fear involvement by the authorities have become less inclined to seek assistance and support lest they be reported. Indeed, the 2006 Statistics Canada report on use of shelters makes note of the fact that the numbers of women with children using battered women's shelters has decreased.

### ***Findings of the Coroner of Ontario's Domestic Violence Death Review Committee***

As the result of one of the recommendations made by the jury in the inquest into the murder of Gillian Hadley by her estranged husband, Ralph Hadley, the Office of the Coroner of Ontario established the Domestic Violence Death Review Committee (DVDRC)<sup>12</sup>. The Committee's mandate is to contribute to the reduction in domestic violence generally and domestic homicides in particular by:

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<sup>12</sup> All three reports of the Domestic Violence Death Review Committee can be found on the website for the Office of the Coroner of Ontario.

- thoroughly reviewing all intimate partner and ex-partner homicides;
- identifying systemic issues, problems, gaps or shortcomings of each case and making recommendations to address these concerns;
- creating and maintaining a comprehensive database about the perpetrators and victims of domestic violence fatalities and their circumstances;
- helping identify trends, risk factors and patterns from the cases reviewed in order to make recommendations for effective intervention and prevention strategies;
- reporting annually on domestic homicides to enhance public understanding and awareness of the issues; and
- conducting and promoting research where appropriate.

To date, the Committee has reviewed 34 cases involving 88 fatalities and issued three reports.

Women are the predominant victims in the cases reviewed by the DVDRC, although children are increasingly the targets of abusive men, who kill them in retaliation against their wife or ex-wife. Women are the victims in 93% and men the perpetrators in 94% of the cases.

While each report is unique and reflects the realities of the deaths it has reviewed, all three reports note a common and disturbing reality, which is summarized in the opening pages of the 2004 Report:

An important concern to the DVDRC as a result of our review is the extent to which these homicides appear both predictable and preventable based on an analysis of well-known risk factors. . . . In the majority of cases reviewed, ten or more risk factors associated with potentially lethal violence were present in the circumstances.<sup>13</sup>

For the three years that the DVDRC has been in place, 65% of the cases it has reviewed had at least seven or more known domestic violence risk factors associated with lethal violence, and yet appropriate safety planning mechanisms were not put in place.<sup>14</sup>

The DVDRC consistently identifies key trends or factors present in the homicides it reviews:

- actual or pending separation (80%)
- prior history of domestic violence (60%)
- perpetrator who had made threats to harm himself or his partner in the past (45%)
- custody and access disputes (present in 44% of the 2004 cases)

Increasingly, the DVDRC is identifying mental health issues in the domestic violence-related homicides it reviews.

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<sup>13</sup> Domestic Violence Death Review Committee: Annual Report to the Chief Coroner 2004

<sup>14</sup> Domestic Violence Death Review Committee Annual Report to the Chief Coroner 2005, page 6

As well as analyzing each homicide in detail and identifying trends and factors, the reports include a number of recommendations grouped into three categories:

- suggestions to improve awareness about violence against women through training for professionals and public education campaigns
- strategies to improve on assessment and intervention. The 2004 report focuses very specifically on the need to make changes to the bail process, especially the use of sureties
- the need for increased resources

The DVDRC has provided many important recommendations for change, as have the three inquests held into the murders of women by their intimate partners.<sup>15</sup> In particular, the reports speak to the importance of collaborative community-based approaches to ensure early identification and intervention in cases of woman abuse, especially high risk cases.

It is important to be aware that the Committee does not review cases that are before the courts, so there is a preponderance of homicide/suicide cases analyzed in their reports, which may affect some of the trends and issues identified.

### ***Domestic Violence Action Plan for Ontario***

In December 2004, Premier Dalton McGuinty announced his government's Domestic Violence Action Plan (DVAP), which he described as a "long-term, comprehensive and collaborative approach" to preventing violence against women and improving supports for women and children when it does happen.

The DVAP, a four-year plan, is an important piece of public policy for a number of reasons. First, it shows leadership at the highest provincial level. Second, the Premier clearly identifies the issue as one of violence against women and makes the connection between this violence and women's inequality. Third, the plan encourages a community-based, collaborative approach to both ending violence against women and providing support to women and children who have experienced violence.

The Plan is based on a number of principles:

- the right to safety on the part of all women
- working for women's equality
- the role of public leadership

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<sup>15</sup> Public inquests have been held into the 1996 murder of Arlene May, and the 2000 murders of Gillian Hadley and Bohimila Luft. In all three cases, their partners/former partners also killed themselves. In the case of Ms Luft, her husband killed their four children as well. Each inquest resulted in numerous recommendations for changes to the criminal and family court systems, the delivery of frontline services, police services and public awareness about the issue of violence against women.

- sharing responsibility to address violence against women
- holding abusers accountable for their actions
- providing a holistic response
- bringing a balanced approach
- monitoring progress

The DVAP focuses on five areas where it is committed to making change.

1. **Community-based supports for victims:** This includes increasing funding to community counselling services, transitional housing for women, social housing, interpretation services, community coordinating committees and community-based sexual assault centres.
2. **Early identification and intervention:** This includes training for professionals and service-providers, the development of expert training advisory panels, a provincial conference on domestic violence held in the fall of 2005 and development of a clearinghouse of resources and programs.
3. **Violence Prevention:** A four-year, public education and prevention campaign will target young people as well as the public at large in an effort to end violence against women and girls.
4. **Legal Response:** There are a number of initiatives aimed at making both the criminal and family law responses to violence against women more effective. These include amendments to provincial custody and access legislation (see below for details), increased funding to Partner Assault Response (PAR) Programs, changes to the present family court restraining order system, increasing coordination between the family and criminal court systems, expanding the bail safety pilot programs (see below for details) and instituting domestic violence training for judges.
5. **Access to French Language Services:** A French-language services strategic plan is to be developed, which will include increased funding for French language sexual assault centres, development of a French-language component of the public education campaign and training for French-language professionals.

One of the strongest threads running through the entire Domestic Violence Action Plan is a commitment at the provincial government level to supporting and expanding community-based, collaborative approaches to both ending violence against women and providing supports and services to those who experience it. This commitment provides a strong foundation on which communities can build their strategies for addressing this issue.

### ***Bail Safety Pilot Program***

This program brings the victim, Victim/Witness Assistance Program (V/WAP), the police and the Crown together to work collaboratively at the bail stage of a criminal case where there has been partner abuse.

It began as a pilot in three Ontario communities and was recently expanded to six more locations, including Kingston. The program recognizes that the way in which bail has been handled in partner abuse cases in the past has often left the victim exposed to ongoing, high risk of more

serious harm or even death. It is committed to allowing victim input at the bail hearing as well as to offering victims access to support immediately upon charges being laid.

V/WAP's role in the program is to have immediate contact with the victim and to conduct an in-depth interview to gather her input with respect to appropriate bail arrangements. The V/WAP worker also discusses safety planning with the victim, introduces her to the court process and provides referrals to community agencies for counselling and support.

The role of the police is to participate in the in-depth interview with the victim and to complete a "risk factor checklist" which will support making appropriate bail recommendations. The police will obtain past occurrence reports, prior charges, prepare a complete Crown package and lay additional charges when required, as well as liaise with relevant community partners.

The Crown's role is to review and screen the Crown package and, if available, conduct the bail hearing using information gathered during the in-depth interview conducted with the victim by V/WAP and the police.

Evaluation of the first three pilot projects is positive and a report is expected in the near future.

Kingston's bail safety pilot program launched with V/WAP staff, a designated Kingston City police officer and part-time designated Crown working as a team with victims.

#### *Neighbours, Friends and Families*

In June 2006, the provincial government launched a province-wide campaign to help the public recognize the early signs of woman abuse and know how to help. The Neighbours, Friends and Families campaign (NFF) provides information in pamphlet form, a series of public service announcements, posters, wallet cards and a website.<sup>16</sup> The campaign is intended to provide communities with information about how to:

- recognize the warning signs of woman abuse
- support women and other members of the community who are affected by woman abuse
- find supportive resources in the community
- look for opportunities to promote and work collaboratively on the Aboriginal and Francophone communities' campaigns.

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<sup>16</sup> [www.neighboursfriendsandfamilies.on.ca](http://www.neighboursfriendsandfamilies.on.ca)

As stated on the NFF website:

The Neighbours, Friends and Families campaign is based on principles of community organization and recognizes that communities have the assets, strengths, natural leaders and untapped talent to greatly impact change, growth and restoration in their communities.

### **Recent Law Reform Initiatives**

In February 2006, the provincial government passed two important amendments to existing legislation, both of which will have an immediate and significant positive impact on women who are leaving abusive relationships.

i. *Children's Law Reform Act*

Custody and access decisions in Ontario, as well as in the rest of Canada, are made using the "best interests of the child test." The factors to be considered are listed in the *Children's Law Reform Act (CLRA)*, a provincial law. Until 2006, there was no requirement that woman abuse be considered in custody and access cases. Women who wished to raise the issue of their abuse within the context of a custody and access case had to make the explicit argument that the abuse they were experiencing was having a direct, demonstrable and negative impact on the children, which often was difficult to do.

Amendments to the *CLRA* in February, 2006, changed this. Judges are now required to consider acts of violence or abuse by anyone seeking custody of a child. Importantly, the amendments also identify that acts taken in self-defence or to protect another are not to be considered acts of violence or abuse.

While there has to be evidence of the abuse or violence, it does not have to meet the criminal standard (beyond a reasonable doubt), but rather the civil standard (on a balance of probabilities). For example, criminal charges would not have to have been laid for a woman to argue successfully in a custody case in family court that her husband's abuse of her was a factor to be considered. She would, however, have to have some evidence beyond a simple statement that she had been abused.

Coupled with a 2005 Ontario Court of Appeal ruling<sup>17</sup> that joint custody is not appropriate in cases where the parents cannot communicate, these amendments to the *CLRA* will help ensure more appropriate outcomes for women and children who leave abusive situations.

ii. *Arbitration Act*

Private arbitration of legal disputes, including family law disputes, has been permitted for many years in Ontario. Such arbitrations have been governed by the *Arbitration Act*. In 2003, concerns were raised about the use of religious laws in the arbitration of family law, particularly the impact on women's equality rights.

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<sup>17</sup> *Kaplanis v Kaplanis*

The *Arbitration Act* was amended in 2006 to prohibit the use of religious or any other private system of law in the arbitration of family law disputes. Only Canadian law can be used, if the arbitration is to be legally binding and enforceable. Ontarians are free to consult with and get support and guidance from their religious leaders, if they choose to do so, but any legal agreement must be based only on Canadian public law (*Family Law Act, Children's Law Reform Act, etc.*)

Regulations to govern arbitration in Ontario under this new regime have been passed and the new law is now in force. A community outreach and education campaign is underway so women know what Canadian law offers them and what their rights are under Canadian law.

### **Warning Signs**

There is no one set of signs that a woman is being abused, just as there is no quick test to confirm that she is not. There are, however, clusters of indicators, often called “red flags” or “warning signs” that mean attention should be paid – by the woman, but also by her family, friends, coworkers and anyone else who has contact with the family. The following list of questions is provided to indicate some of the common indicators that abuse may be present in a relationship.

**(Please note: This is not a definitive list – abuse can exist even if none of these indicators is apparent to the woman or other people involved in her life.)**

- Does the woman seem frightened by her partner's moods?
- Does she make excuses not to spend time with her family or friends?
- Has she stopped participating in her own activities?
- Does she make excuses for her partner's bad behaviour, especially his treatment of her or the children?
- Does she always agree with her partner in his presence, even if you know she has a different opinion when he is not around?
- Does she seem to “walk on eggshells” around him?
- Does she describe his jealous behaviour as proof of his true love for her?
- Does she seem to believe her partner's criticisms of her and talk about how she needs to improve herself to make the relationship work better?
- Does she think she is responsible for her partner's happiness?
- Has she admitted to any kind of physical violence by her partner, even if just once or twice?
- Does she say things like: “Well, at least he does not hit me” or “But he is good with the kids” or “He is under a lot of stress at work right now” as excuses for his treatment of her?
- Is she exhibiting signs of insomnia, anxiety, stress, eating disorders, low self-esteem, depression, self-destructive behaviour or anger?
- Has she started using alcohol or drugs in an unhealthy way?

Any combination of these indicators **can** mean a woman is in an abusive relationship or is at risk of her relationship becoming abusive. The best way to offer support at this time is to:

- let the woman know you are concerned about her
- let her know she can talk to you anytime in confidence
- let her know what resources are available for her in the community
- let her take the lead in what she chooses to share with you
- let her know you will support the choices she makes

Of course, if you have concerns about the safety of children – either directly or because of exposure to abuse – you may need to take steps whether or not the woman wants you to, and you should let her know this before it happens.

### ***Kinds of Abuse***

Abuse can take many different forms, which often occur in combination. ***There do not have to be physical injuries for abuse to be present.*** In fact, many people consider emotional abuse to be the most serious kind of abuse because it can be so invisible.

Abuse can be:

#### *Physical:*

- punching, kicking, shoving, dragging, slapping, biting, hair-pulling
- harming pets
- abusing other family members
- using a weapon as a threat or to cause injury
- murder or attempted murder
- forcible confinement
- property destruction

#### *Emotional:*

- uttering repeated threats – against her, her children, other family members, friends, pets
- threatening to take the children away from her
- threatening to turn her into the authorities – immigration, criminal, child protection
- threatening to kill himself
- stalking behaviours (called criminal harassment) such as following, watching, constantly calling, or otherwise harassing
- controlling her activities, her contacts with family and friends, how she dresses

- verbal abuse such as putting her down, insulting her, calling her names (especially when done in front of the children)
- jealous behaviours such as saying she is having an affair
- socially isolating her from family or friends by limiting her access to the phone, not letting her drive, not letting her go out alone
- financial abuse such as controlling her access to money, taking all the money she earns, not letting her work, mispending the family money, running up debt

#### *Sexual:*

- sexual assault or abuse
- forcing her to engage in sexual activities against her wishes
- use of pornography
- withholding sex
- having a sexual relationship with someone else

### **Why Women Stay**

Understanding why women stay is often the most challenging aspect of working with women who are being or who have been abused by their intimate partner.

Women remain with or return to abusers for a host of important and valid reasons. Unfortunately, these reasons are often not understood by family, friends, the court systems or the public at large. As a result, women are sometimes seen to be responsible for the violence that they experience: “after all, if she didn’t like it, she could have left.”

Some common reasons women remain in an abusive relationship or return to it are:

1. **Fear of increased violence:** Many women fear their partner will kill them if they leave – because he has threatened to do so or because they hear the news stories about women who are killed after leaving. Staying with the violence they know and know how to manage can be less of a risk than leaving to face unknown and possibly increased violence.
2. **Fear of losing the children:** One of the most common threats made by abusive men to their partners if there are children is that he will take them if she leaves. These threats are believable, especially if he has access to the financial resources to mount a vigorous custody fight or has parents who will support him or if he is better situated in the community, especially if the woman’s self-esteem is low as a result of the abuse. She may also fear that, even if he does not take the children, he will mistreat them during access visits.
3. **Pressure to stay:** Many women experience pressure from their families, or their religious, cultural or social communities to stay in the relationship and “try to make it work.” The fear of becoming isolated from her family or community can keep her from getting out of the abusive relationship.

4. **Financial reality:** The lack of social supports (social assistance, affordable housing, childcare, etc.) is a significant factor in keeping women from leaving. This is especially so for women with children, who often feel they have no right to deprive them of a decent lifestyle.
5. **Denial:** Abuse seldom happens every day. It is easy to deny the long-term impact it is having and try to focus on the “good” days, even if they become fewer and farther between. Women often underestimate the seriousness of emotional abuse, thinking that if their partner is not hitting them, they are not being abused. Women also believe the partner’s promises to change, and convince themselves that this time will be the last time.
6. **Guilt/responsibility:** Abusers are very effective at convincing their victims that *they* are the ones to blame. “I would not have had to hit you if you had had dinner on the table on time.” “If you can’t keep those kids quiet, you know what is going to happen to you.” As a woman’s self-esteem and self-confidence diminishes, her tendency to take responsibility for the abuser’s actions increases.
7. **Shame:** It is very difficult to admit – to yourself, let alone to anyone else – that you are being abused by someone who says he loves you. Despite all the public education and awareness about violence against women in the past 25 years, there is still enormous shame in admitting to being a victim.
8. **Fear of not being believed:** Most women, but especially those who have kept the abuse a secret, fear no one will believe them. If the abuser is charming and outgoing in public, her fears about not being believed will increase, just as they will if he is a person with some prominence in the community or is involved in the criminal or family court systems in some way.
9. **Learned helplessness:** This reality, called by many names, is experienced by many abused women. They have tried again and again, without success, to change themselves, their partner, their children or the relationship. After a time, they expect to fail and then stop even trying.
10. **Love:** Women do not stop loving their partners just because they are abusive. There are often long periods of tranquility or even real happiness between bouts of violence. Most women simply want the abuse to stop – they do not stop loving their partners.

For many women, leaving the abusive relationship is a process – it is the evolution of separation. It may take several attempts before she is able to stay away. Other women will leave and return forever – their times away give them the respite they need to be able to return and deal with the abuse again. Other women stay until a pivotal event occurs – immigration status is confirmed, the youngest child starts school, she gets a job, and so on. Still others never leave, but find ways to keep themselves and their children as safe as possible while living with an abuser.

Whichever choices a woman makes, she needs to know she has the support of her family and friends.

## ***What to Say***

Knowing what to say to a friend, family member or colleague – whether you believe she is being abused because of your own observations or whether she has told you herself – is very difficult.

Perhaps the two most important things to make sure she knows are that:

- you believe her, and
- she needs to make sure she (and the children, if there are any) is (are) safe

For more information about helping a woman make a safety plan, please see Appendix Six of this Protocol.

Some suggestions about how to offer support are:

- try not to give advice if it is not asked for
- let her talk through whatever she needs to, even if it seems repetitive and as though she is not making progress
- remember that she may be experiencing great sadness at the loss of her hopes for her relationship
- raise the issue of safety as often as you think it is a concern
- be ready with information about community resources and services, so you can provide it when she needs it
- offer practical help such as watching the children while she meets with a lawyer, providing transportation, feeding or caring for pets if she is worried about leaving them with the abuser
- let her know as often as possible that you are there to support her, whatever choices she makes
- let her know she can trust you
- make fun dates with her – go to the movies or get a pedicure together
- remind her of family and friends she can call on for support
- don't make promises you can't keep

*Self-care*

It is easy to lose track of ourselves when we are offering support to someone in crisis, but it is important to remember that being a primary support person for a woman experiencing violence can be very difficult. Many professionals working in this field experience what is called “vicarious trauma,” meaning they begin to experience some of the symptoms of abuse.

Watch for this, and put your own support system in place – your role as support person could be a long one. Don’t offer to do more than you can handle. Find your own places to blow off steam, vent or grieve for what is happening to your friend --you will stay healthier and be able to offer better support.

***Women and Children Murdered in 2006***

**As of November, 2006, the following 24 women and 12 children were murdered and the woman's partner was either charged or committed suicide**

**Rosalinda Concepcion**, 32. Welland. Mother of three. Rosalinda was found strangled to death in her home after she failed to pick up her children from school. Police and child welfare authorities arrived at the home and discovered her and her common-law partner in the house. Leonard James Kelly was taken to hospital with a "medical condition" and later charged with first-degree murder. (January 2006)

**Rose Boroja**, 54. Markham. Mother of three. Rose was found in her home strangled to death, with "obvious signs of trauma" to her body after a relative placed an emergency call to police. Her husband, Pero Boroja later surrendered to police and was charged with second-degree murder. (January 2006)

**Shao-Sang Liang**, 38, her daughter **Vivian Yuen-Yee Chau**, 3 and her son, **Ian Chau**, 5 months. Toronto. Shao-Sang and her two children were stabbed to death in their basement apartment while neighbours listened to their screams. Neighbours, who had often heard banging and screaming in the home but had never intervened, expressed disbelief and surprise that the murders had occurred. They alternately described the family as "anti-social", "not normal", and "nice people, like a happy family". Media reports emphasized the trauma suffered by police when they entered the scene and the difficulty of police dealing with the deaths of children. Huc Minh Chau, common-law partner of the woman, was arrested at the scene and charged with three counts of first-degree murder. (February 2006)

**Wendy LaFleche**, 41, her daughter **Victoria**, 7 and her son, **Jesse**, 3. Aurora. Wendy and her children were beaten to death in their beds. Her estranged husband, John LaFleche, was caught in a police chase near Barrie as he fled and later charged with three counts of first-degree murder. (March 2006)

**Fallon Mason**, 23. Brantford. Mother of two. Fallon was found dead of injuries from "an edged weapon" in the townhouse that she shared with her two pre-school children, who were present at the time. Later police engaged in a lengthy standoff with a man who finally emerged from another home with injuries and blood-soaked clothing. He was said to have had a previous relationship with Fallon and had been charged in February with breaking into her home and harassing her. He was released on bail in that incident. The children were placed in foster care. Greg Christopher Martins was arrested and taken to hospital. He was later charged with first-degree murder. (March 2006)

**Yvonne Marsh**, 37. Wasaga Beach. Yvonne was found dead in her home after a man turned himself in to police in Toronto, saying he had killed someone. Reports said she had died as a result of an "axe attack". Yvonne had rejected a man who was insisting that they have a relationship after she had separated from her husband. Adam Newman was charged with first-degree murder. (March 2006)

**Jared Andrew Osidacz**, 8. Brantford. Jared was stabbed to death by his father at the home of the father's girlfriend and her 8-year-old daughter. His girlfriend and her daughter were also stabbed, but survived and were taken to hospital. Approximately an hour later, police shot Andrew Osidacz to

death at another residence where he was holding his ex-wife (Jared's mother) at knifepoint. Osidacz had been convicted in 2003 of assault on his ex-wife. He was ordered to do 75 hours of community service and to give \$300 to Nova Vita Women's Shelter, as well as to participate in programs. Justice Lawrence Thibideau did not think the crime warranted incarceration. Osidacz was ordered to have no contact with his wife, but an exception was made for contact with Jared through a family court access order. (March 2006)

**Francine Maily**, 37, and her three children, **Jessica**, 12, **Brandon**, 9 and **Kevin**, 6. Ottawa. Francine and her three children were shot to death before their house was blown up and engulfed in flames. Francine was estranged from her husband, Francois, who was found dead on the lawn of the house with a .22 calibre gun beside him. A note outlining his plan to kill the family was found in his van and Francine's family reported that he had often said that if he couldn't have her, nobody would. Francois Maily had a history of contact with police as a result of domestic violence and other issues and was under a restraining order to have no contact with Francine at the time of the murders. Because Francine was in contact with him, police apparently said they could do nothing about his harassment and threats. Francois Maily was in anger management counselling and the Children's Aid Society also had a file on the family. His family and co-workers were surprised by the murders and described him as a hardworking family man who loved his children. Her family talked about Francine's ongoing fear of him and the lack of police support for her. (April 2006)

**Melody Burtis**, 40 and her son, **Harley Baxter-Burtis**, 8. Sault Ste. Marie. Melody and Harley were abducted from their home and driven to a remote location where they were slashed to death, then taken to a cemetery where they were dumped. By coincidence, police officers were at the cemetery and saw a man near the bodies. Albert Francis Ouimet was arrested and charged with two counts of kidnapping and first-degree murder. Police have said that the couple were "known to each other" but have not clarified their relationship further. (April 2006)

**Dale Cheryl Mapstone**, 29. Toronto. Mother of two. Dale was stabbed to death in front of her 10-year-old son Treyvon, who tried to save his mother's life by jumping on the assailant's back, before running to a neighbour for help. Her boyfriend, Vaughn Maxwell Wilson, was charged with second-degree murder. (April 2006)

**Meherun "Mita" Nessa**, 35. Toronto. Mother of three. In a scenario eerily similar to the death of Dale Mapstone, Meherun was stabbed to death in her apartment in front of her 13-year-old daughter Jayba. Jayba was assaulted in the incident and tried to stop the bleeding, but her mother's injuries were too severe. Her husband, Shabbir Mahmud, was charged with second-degree murder and assault. He had been arrested the year before but not charged. The Children's Aid Society was called in. According to a friend, Meherun had said that her husband threatened to kill her if she ever called police. (April 2006)

**Natalie Novak**, 20. Toronto. Natalie was stabbed to death in a house where she was living as a student while she attended Ryerson University. Multiple calls were made to 911 and other students tried to intervene by forcing the door to her room, but it was too late to save her. Her ex-boyfriend, Arssei Hindessa was charged with second-degree murder. Police reported that he had

also been convicted of assaulting Natalie the September before and was on probation with conditions to stay away from her. (May 2006)

**Seema Badhan**, 19. Toronto. Seema was thrown off the 10<sup>th</sup> floor balcony of the building where she had lived with her estranged husband. Neighbours reported hearing screaming and arguing but ignored it. Then one neighbour reported hearing a “huge, huge scream” and saw Seema lifeless on the ground below. Neighbours also described the man as “peace-loving” and the couple as “so in love”. Zohaib Shaukat was charged at the scene with first-degree murder. (May 2006)

**Ashley Daubs**, 15 and **Stephanie Daubs**, 12. Ashley and Stephanie were killed when, according to police, their father intentionally swerved into a head-on collision with a dump truck, killing all three of them. Police first thought the collision was an accident but later changed their assessment in the light of additional evidence. John Daubs had been charged with uttering threats against his estranged wife, Debbie, the mother of the girls, and had been ordered to stay away from her. (May 2006)

**Deborah Devine**, 33. London. Deborah was found dead following a fire in her home. Her partner, Loranzo Kimpe, was charged with second-degree murder and arson endangering life. (June 2006)

**Cindy MacDonald**, 29. London. Cindy was found with a knife through her chest in the backyard of her home. Her boyfriend, Melvin Flores, was charged with second-degree murder. Flores was out on bail with a no-contact bail condition ordered in April after he was released on a charge of uttering a death threat against Cindy. (June 2006)

**Kamlesh Dhingra**, 58. Richmond Hill. Kamlesh was found by her adult son stabbed to death in her home. Her husband was also found unconscious in the home and was taken to hospital with injuries. Kamlesh had just moved into the house two or three weeks prior to her murder. Police would not call the incident a murder-suicide attempt. The estranged husband, Ved Dhingra, was charged with first-degree murder. (June 2006)

**Gwendolyn Pilgrim**, 35. Toronto. Gwendolyn was found strangled to death in her basement apartment after her boyfriend, Donovan Morrison, turned himself in to police. He was charged with second-degree murder. Morrison had been charged in March with possession of a dangerous weapon and released on bail with conditions to stay away from Gwendolyn, but he had moved in with her again after he was charged. (June 2006)

**Kathy Rajher**, 66. Hamilton. Kathy was stabbed to death by her husband, Vinko Rajher, who then hanged himself. Kathy had repeatedly told her friend that her husband was going to kill her, but her friend would say that he wasn't capable of that. Kathy had recently said that she wanted a divorce and the couple's house had been put on the market several weeks before the murder-suicide. Police had visited the home on a number of occasions and Kathy had also taken refuge in a women's shelter. (June 2006)

**Malena Morales**, 31. Brampton. Mother of two. Malena was found murdered in her home. No cause of death was reported except to say there were “signs of trauma” to her body. A Canada-wide arrest warrant was issued for her husband, Henry Morales. Police believe he has fled to Mexico. (July 2006)

**Audrey Gates**, 85. Burlington. Audrey was strangled to death in her home. Her 85-year-old husband was found bleeding in another room from a self-inflicted knife wound and is currently in hospital. The couple had been married for 55 years. Ronald Gates was charged with first-degree murder. (August 2006)

**Angela Harkley**, 33. Shrewsbury. Angela’s body was found in a shallow grave in a marsh-like area about 120 metres from a home she shared with her boyfriend. A post-mortem was scheduled to determine the cause of death. After an hours-long suicidal stand-off with police in an orchard, her boyfriend was taken from a car when he was overcome by fumes from a propane tank he had with him. Bradley Thomas Warwick was charged with first-degree murder. (September 2006)

**Zofia Strojnik**, 54. Mississauga. Zofia’s body was found in her home by police after they were called to the residence. Cause of death was not released. Her husband, Julian Strojnik, was charged with first-degree murder. (October 2006)

**Brenda Demoor**, 39. Brockville. Brenda was found dead in her apartment after a 911 call to police, who are still investigating the murder. No cause of death was given but authorities indicated there was trauma to Brenda’s body. Neighbours said the apartment had been the site of a few disturbances in recent months. Donald Hutchinson, who lived with Brenda, was charged with second-degree murder. (October 2006)

**Malini Thayakumar**, 36, and her daughter **Neruuya**, 14. Toronto. Malini and her daughter were found dead in their townhouse after a call to 911 by her husband, “Kumar”, who had left and was at the apartment of Malini’s parents. He told 911 that he had killed his wife and daughter and was going to take his own life. He then jumped from the balcony and was killed. Malini died of wounds to her neck and Neruuya died from “pressure to the neck”. Two younger daughters were sleeping at the time of the murders and were unaware that their mother and sister had been killed until police arrived. (November 2006)

**Thayalini Subramaniam**, 31. Markham. Mother of three. Thayalini was found dead in her garage by her 7-year-old daughter. Cause of death was reported by police as “homicidal hanging with blunt force trauma injuries to the head”. Her husband, Sugirthanraj Kailayapillai was charged with second-degree murder. (November 2006)

***Women and Children Murdered Since 1995***

**This is a list of women who were murdered and whose intimate partner was either charged or committed suicide. This is a partial list only, taken from major media reports.**

**Victoria Alty**, Mississauga. Victoria died of massive internal injuries after she was kicked and punched. Her husband was charged with second-degree murder. (June 1995)

**Carmine Jeannot**, 43, and **Josiane Jeannot**, 12. Gatineau. Joseph Jeannot, described by neighbours as a soft-spoken gentleman, shot his wife and daughter to death in their beds before fatally shooting himself. (June 1995)

**Kamlesh Sodhi**, 39. Mother of two children. Brampton. Kamlesh was found thrown on the side of a rural road in Halton Hills, Ontario. Her husband was charged with first-degree murder. (July 1995)

**Marcia Hylton**, 38. Mother of five children. North York. Stabbed to death in front of her two youngest children. Her 5-year-old son was injured trying to protect her from the attack. Her ex-partner, father of one of the children, then jumped to his death off her balcony. (July 1995)

**Alayne Bryk**, 26, Hamilton. Shot to death by her estranged husband, who then shot himself. Family and friends said they thought the couple were “reconciling” (August 1995)

**Donna Allison Currier-Burns**, 32. Lansdowne. Mother of two children. Police found Donna inside her home and had not determined the exact cause of death. Donna’s common-law husband, Christopher Parmar was charged with second-degree murder. (September 1995)

**Maryanne Matesic**, 47, Hamilton. Maryanne had left her abusive husband, but had returned to the marital home, accompanied by her adult son, to collect her belongings. Her husband shot her to death. Her son grabbed the gun and shot his father. He was charged with second-degree murder. (October 1995)

**Georgina Liu**, 22, Markham. Georgina was stalked and then beaten to death and dumped in a marshy area off Highway 401. She was studying to become an early childhood educator. Roderick Ballentino Brown was charged with first-degree murder after attempting to shoot himself in front of police. (October 1995)

**Janie Marie Maxwell**, 33, mother of one. Mississauga. Janie was beaten and kicked to death in an attack that went on for 20 minutes after an argument about a phone call she received from another man. Paul Anthony Beard was convicted and sentenced to seven years in prison. During sentencing, Judge John D. Smith described Beard as a man not known to be “a particularly violent man, but he has a problem with alcohol” (November 1995)

**Vanessa Ritchie**, 24, and her two children, **Tod**, 7 and **Fatima**, 16 months. Ottawa. Vanessa, Tod and Fatima were shot to death by her husband. He then killed himself. (December 1995)

**Donna Barr**, 43, mother of three. Perth. Donna and a male friend were shot to death by Donna's ex-husband, Kenneth H. Barr, who killed himself after the murders. Donna had been assaulted and threatened numerous times by Barr, but he received only a suspended sentence and an order to turn in his 20 guns. Neighbours described Kenneth Barr as "a very nice person and the best neighbour" (January 1996)

**Paula Joy Hill**, 31, mother of one. Brantford. Stabbed to death in a motel room where she had checked in with her son. Her husband, Paul Frederick Hill, was charged with first degree murder. (April 1996)

**Stella McNicol**, 40, Scarborough. Stella was found dead in her home by police. Her boyfriend, Thomas Daniel Brenna was charged with second degree murder. (July 1996)

**Bibi Hajra Alli**, 37, mother of two. Bibi died of head injuries from a blunt instrument. Divorce papers had been served on her husband just days before the murder. Bibi had been separated from her husband for about two months. Neighbours were shocked, saying: "They were very nice--a calm family." Mohamed Rafeek Alli was charged. (July 1996)

**Marsha Ottey**, 19, and **Tami Ottey**, 16. Toronto. Marsha and Tami were stabbed and slashed to death in the basement of their home. Marsha had broken up with her boyfriend eight or nine months before the murders. Her ex-boyfriend was described by acquaintances as "obsessive." After an extensive search, Rohan Alonzo Ranger, Marsha's ex-boyfriend, and Adrian Mathias Kinkead, were found and charged with two counts of first degree murder. (August 1995)

**Juliet Reynolds**, 28, mother of two. Scarborough. Juliet was slashed and stabbed to death in front of her six-year-old daughter and baby son while waiting for an elevator in their apartment building. Adrian Daniel, her estranged husband, was charged with first-degree murder. (May 1996)

**Maria Sanchez**, 33, mother of three. North York. Maria was slashed and stabbed to death in her apartment by an assailant waiting there for her. Maria had told police she feared for her life two weeks before the murder. Her former boyfriend, Salvador Valera-Landrian, was out on bail on charges of assaulting her. He was charged with first-degree murder. (February 1996)

**Shelley Morgan**, 35, mother of one. Aurora. Shelley was battered to death in her home. Stewart Radford, Shelley's common-law husband, was charged with second-degree murder. (July 1996)

**Marilyn Woodland**, 54, mother of one. Brampton. Marilyn was found stabbed and beaten to death in her home. Her husband, Keith Woodland, was charged with murder. Family members described the couple as "very close." (September 1996)

**Fran Piccolo, 36, Jason Piccolo, 9, Alisha Piccolo, 7.** Stoney Creek. Fran and her two children were stabbed to death in their home. Shane Allan Mulcahy, who had moved in with Fran and her children after she and her husband separated, was charged with three counts of first degree murder. (September 1996)

**Arlene May, 39,** mother of five. Collingwood. Arlene was shot after three of her children escaped from their home where they and their mother were being held. Randy Iles, Arlene's ex-boyfriend, who had been charged with assaulting Arlene more than once, but was out on bail under a restraining order, was charged with first-degree murder. Arlene's murder was the starting point for Ontario's first "super inquest" into domestic murders of women in Ontario. (March 1996)

**Isabelle Holland, 50.** Etobicoke. Isabelle was beaten to death after being stalked and assaulted one more than one occasion. Her ex-partner, separated from Isabelle for approximately two months, drove away in her car and was later found dead of apparent suicide. (March 1996)

**Janice Lowery.** Barrie. Janice was found strangled to death in a country field near her home. Her husband was charged. (May 1996)

**Carol Ann Leach.** Kilworthy. Carol was found stabbed to death just hours after police attended a "disturbance." A police chase resulted in charging of her husband several hours later. Her husband was out on bail following an assault on Carol Ann the week before her death. (March 1996)

**Jan Marshall, 40.** Alcona. Jan was found by police after a canoeing incident in which her husband told police their canoe capsized during a canoeing competition and only he was able to make it to shore. Winston Malcom was charged with first-degree murder. (April 1996)

**Stella Burdo, 40.** Toronto. Stella was stabbed to death in her Ontario Housing townhouse while a friend watched helplessly. Her sister wanted everyone to know that Stella had been trying to get out of the townhouse she was living in. "I want it to be said that Ontario Housing is not that much of help when someone is in a crisis," she said, according to a Toronto Star article of June 29, 1996. (June 1996)

**Carol Butler, 45.** Croton. Carol was shot to death by her common-law husband, James Logan, with a gun returned to him by police after an earlier weapons charge against him, laid after a domestic call by police to their home, was withdrawn. Logan had also threatened to shoot Carol after a previous break-up. He committed suicide at the scene of the murder. Police described it as a "perfect example of domestic violence" but no one could explain why weapons charges had been dropped. (June 1996)

**Gloria Jean Morden.** Gore Bay. Gloria Jean was shot to death by her ex-partner, who also killed his adoptive parents at the same time. (August 1996)

**Jasmine Vanscoy**, 14. St. Catharines. Jasmine was shot in her home with a gun stolen from a gun shop several years earlier. Jasmine had just had her picture taken in her new high school uniform. A 17-year-old youth has been charged with second-degree murder. (September 1996)

**Patricia Abbott**, 40, mother of one. Fergus. Patricia was shot several times in the head at her home. Her estranged husband, Gordon Ray Abbott, has been charged with first-degree murder. (October 1996)

**Natalie Katherine Pawluch**, 42, mother of one. Mississauga. Natalie was shot to death by her husband less than 24 hours after he was ordered to stay away from her. Henry Andrew Pawluch then shot himself (November 1996)

**Danusia Nicolak**, 68. North York. (November 1996)

**Cheryl Hohner**, 31 mother of one and pregnant with her second child. Cheryl was murdered on Boxing Day, three weeks before she was to give birth. Her common-law partner, Alfred Scott, was charged with second-degree murder. (December 1996)

**Margaret West**, 66, mother of three. Pointe au Baril. Margaret was shot to death along with a male friend by her estranged husband, who then killed himself. (April 1997)

**Stephanie Tanaskow**, 36, mother of two children. Etobicoke. Slashed to death at her mother's apartment. She had been charged by police the night before when she went to the police station to ask that a charge be laid against her husband. Her partner, Alex Tanaskow was charged with first-degree murder. (April 1997)

**Valentina Mechko**, 57, mother of two children. Toronto. Stabbed to death on her way home from an English language class. She had a restraining order against her ex-husband, who was charged with first-degree murder. (April 1997)

**Helen Kirec**, 36, and her four children, **Ludvik**, 15, **Christopher**, 14, **Suzy**, 12 and **Nancy**, 11. Orangeville. Shot to death. The children were on an access visit with their father after separation and Helen had gone to pick them up. Her, ex-partner, Ludvik Kirec, also set fire to the house and then shot himself (April 1997)

**Nevenko (Nancy) Cindric**, 44, and two of her children, **Josip**, 17, and **Kristina**, 12. Toronto. Janko Cindric killed himself after shooting them. (July 1997)

**Danielle Duchesneau**, 26, Kingston. Danielle was assaulted in an alley in downtown Kingston by her boyfriend. She was taken unconscious to an apartment where a friend of her boyfriend

lived, and was left there to die. Her boyfriend was charged with manslaughter and received a 5-year prison sentence. With the support of Danielle's parents, a fund was set up by Kingston Interval House in Danielle's memory to help victims of woman abuse. (July 1997)

**Nabella Ullah**, 28, and her son **Ahsan**, 3. Brampton. Found in freezer. Cause of death not reported. Zafar Ullah was charged with two counts of first-degree murder. (July 1997)

**Thi Lam Pham**, 28, mother of two children, 2 and 4. Toronto. She was stabbed to death. Duy Linh Vu was charged with first-degree murder. (July 1997)

**Betty Jo Scott**, 20. Port Colbourne. (August 1997)

**Jutta Weber**, 48. Kingston. Jutta was murdered by her boyfriend, then dismembered in a bathtub before being dumped in a swampy wooded area outside of Kingston. Jim Wall was convicted of first-degree murder. He had spent time in prison prior to murdering Jutta for manslaughter. (August 1997)

**Myrna Lelina**, 39, mother of three. North York. Stabbed to death at a friend's apartment. Her husband, Billy Lelina, was charged with second-degree murder. (September 1997)

**Joyce Middleton**, Fergus. Strangled to death by her ex-boyfriend. (September 1997)

**Karrie Dulmage**, 33. Oshawa. (September 1997)

**Karen Parsons**, 31, mother of two children. Oshawa. Karen was stabbed repeatedly at her apartment, where a man was later arrested and taken to hospital with minor wounds. Robert Jesus was charged with second-degree murder. (October 1997)

**Fenny Campbell**, 44, Sarnia. Fenny died of multiple injuries suffered when the Campbell vehicle struck the rear of a parked transport. An autopsy revealed she died of blunt trauma injuries. Her husband was charged with first-degree murder in October 1998. (January 1998)

**Mary Lou Hyjeck** 37, Windsor. Mary Lou died of asphyxiation. Her husband, Paul Hyjeck, was charged with second-degree murder. (January 1998)

**Brenda Swartz**, 50, mother of one child. Woodstock. Brenda died of multiple stab wounds. Her estranged husband, Kenneth, was charged with first-degree murder. (February 1998)

**Jessica Romano**, 45, Toronto, mother of one teenaged son. Jessica's bloodstained body was found in her car. Her boyfriend jumped to his death from the Bloor Viaduct in Toronto hours after her body was found. (February 1998)

**Yathra Jayaweera**, 44, Mississauga. Yathra's body was found in her apartment. A warrant was issued for a 46-year-old man. Police did not release a cause of death. (March 1998)

**Maria Klymchuk**, 36, mother of two pre-school children. Caledon. Maria's body was found inside her garage. Her husband was charged with first-degree murder. (April 1998)

**Joan St. Jean**, 53, Kanata. Joan, who was a woman with a disability, was smothered to death by her boyfriend in her home. Her boyfriend killed himself. (April 1999)

**Aimee Cunningham**, 33, Scarborough. Aimee died from slashes to her neck in her home. Her husband, Paul Cunningham, jumped to his death from the Bloor Viaduct in Toronto. Ten years before, Paul Cunningham's brother had killed his wife and daughter and later committed suicide by drowning himself in Lake Ontario. (April 1998)

**Donna Bartman**, 39, Owen Sound, mother of three. Donna was shot twice in the chest. The next day, the body of her estranged husband was found in the bush behind their home. A neighbour commented: "It's not something you expect to find around here." (May 1998)

**Jasvir Plaha**, 30, Mississauga, mother of two pre-school children. Jasvir was found in her apartment dead of chest trauma. Her husband, Baljinder Plaha, was charged with second-degree murder. Neighbours were shocked, saying: "They seemed like such nice people. They always waved hello when they walked outside." (June 1998)

**Sabrina Devittoris**, 26, Woodbridge. Sabrina died of multiple stab wounds in an Oshawa motel. Her ex-boyfriend, Angelo Consiglio, was charged with first-degree murder after a three-hour stand-off with police. (June 1998)

**Maria Czibulka**, 57. Maria was found dead on her living room floor with extensive bruising to her body. Her husband called 911 and said his wife was unconscious and not breathing. Louis Czibulka was charged and convicted of second-degree murder, but the verdict was overturned in the Court of Appeal in 2004. A second trial in 2006 again found him guilty of beating his wife to death. (June 1998)

**Leslie Williams**, 32, Niagara Falls. Leslie was found in her home dead of head injuries. Her husband's body was later pulled out of the Niagara River where he had jumped from the Horseshoe Falls. (July 1998)

**Beverly Gillett**, Scarborough. Beverly died from stab wounds to the neck. Her husband was charged with second-degree murder. A neighbour rescued their 2-year-old granddaughter and carried her out of the house to safety. (July 1998)

**Linda Vickery**, 38, Toronto. Linda died of multiple stab wounds. Her body was found in the kitchen of her apartment. Police issued a warrant for her boyfriend. (August 1998)

**Elizabeth Bodnar**, 61, Mississauga. Elizabeth was found dead in her townhouse. She died of massive head injuries. Her 75-year-old male companion, Stephan Orban, was charged with second-degree murder. (August 1998)

**Jennifer Copithorn**, 24, Bowmanville. Jennifer was ambushed and stabbed to death in front of her co-workers on her way to work. Her former boyfriend, Robert Appleton, was charged with first-degree murder. (August 1998)

**Anna Pietras**, 38, mother of one, Etobicoke. Anna disappeared after leaving for work. Her body has not been found. Her estranged husband was later found dead of a self-inflicted gunshot wound. (September 1998)

**Barbara Teske**, 38, mother of two, Hawkesbury. The remains of Barbara's body were found in a ditch on a rural road not far from her home. Her husband, Peter Teske, was charged with second-degree murder. (September 1998)

**Mitzi MacDougall**, 27, Red Lake. Mitzi was drowned in the bathtub of her home. Her husband, Kenneth J. MacDougall, was charged with first-degree murder. (September 1998)

**Micheline Cuerrier**, 25, Wakefield. Micheline was slashed to death as she was on her way to work. Her ex-boyfriend was charged with first-degree murder. (October 1998)

**Kathleen Hart**, 35, mother of one, Toronto. Kathleen was beaten to death in an alley in the financial district of Toronto. Her companion, Martin Blackwind, was charged with second-degree murder. The couple was homeless. (November 1998)

**Mandana Rastan**, 43, mother of two, Richmond Hill. Mandana was strangled in her home, where police also found her husband with a self-inflicted stab wound to the chest. Medhi Merkhandan was charged with first-degree murder. (December, 1998)

**Janet Anita Reynolds**, 31, Scarborough. Janet was found shot to death in her apartment. Her boyfriend, Steven Morrison, was charged with second-degree murder. (January 1999)

**Brenda Chillingworth**, 38, mother of two, Lucan. Brenda was found shot to death outside a home north of London. A man found dead nearby was not identified. Police believed the deaths were a murder-suicide. (January 1999)

**Betty Higgins**, 69, Niagara Falls. Betty was severely beaten and died later in hospital. Her partner, Govril Durciul, was charged with second-degree murder. (January 1999)

**Elena Nusca**, 50, Hamilton. Elena was stabbed to death in her home. Her husband, Mario Nusca, was charged with second-degree murder. (February 1999)

**Shirley Taylor**, 36, Sudbury. Shirley died from loss of blood as a result of a cut artery in her neck. Her common-law partner, David John Saunders, was charged with second-degree murder. (February 1999)

**Renate Marie Steinhoefer**, 66, Manitoulin Island. Renate was shot to death. Her husband, Mathias Steinhoefer, was charged with first-degree murder. (February 1999)

**Maria Wong**, 44, Markham. Maria was found stabbed to death in the garage of her home. Her husband, Shu Kwan Wong was charged with the crime in August, 1999. Police allege he hired several people to carry out the murder. (February 1999)

**Heather Burton**, 43, Bond Head. Heather was shot to death. Her husband, Bill Burton, then killed himself. (March 1999)

**Sandra Quigley**, 32, Scarborough. Sandra was found dead of asphyxia in her apartment. Anton Franz Lorenz was recently convicted of second-degree murder. (March 1999)

**Melissa Pajkowski**, 21, Thornhill. Melissa's body was found in a van after a traffic accident. She had been shot to death. Her ex-boyfriend, Peter Morrissey, was found in the van with self-inflicted wounds. (April 1999)

**Sabrina and Nassima Benkartoussa**, 34 and 37, Toronto. Sabrina and her sister were slashed to death in their high-rise apartment. Sabrina's estranged husband then jumped to his death. Sabrina was the mother of a seven-month-old baby. Her husband had recently been arrested for assault against Sabrina and was under a court order not to contact her. (April 1999)

**Halina Deborah Abraham**, 30, mother of one, Scarborough. Halina was found dead in a parking lot in a van with her ex-partner, Anthony Alfred Williams, who had committed suicide. Williams was on parole at the time. (April 1999)

**Katherine Wellwood**, 54, Cookstown. Katherine died of a gunshot wound. Her husband of 31 years, Geoffrey Allan Wellwood, was charged. (April 1999)

**Abigail Manu-Acheampong**, 31, Mississauga. Abigail was found dead in an apartment, but police would not identify the cause of death. Her husband, Charles "Stanley" Gray, was charged with second-degree murder. (May 1999)

**Donna Theresa Young**, 32, Hamilton. Donna was strangled to death in the dining room of her home. Husband, Rodney James Young, was charged with first-degree murder. (June 1999)

**Cindy Stevens**, 35, mother of two, Niagara Falls. Cindy was found dead in her apartment by her teenaged son. Her common-law partner, James Anthony Hannah, was charged with first-degree murder. (June 1999)

**Marjorie (Marg) Ellis-Byerly**, 58, Pinewood. Marg was found dead of a gunshot wound. Her husband, Norman Byerly, was also found dead of a gunshot wound along with **another man**. Police believe it was a double murder-suicide. (August 1999)

**Jenny Figueroa**, 32, Toronto. Jenny's body was found stuffed in a suitcase and dumped off Highway 401 near Kingston. Her boyfriend, John Errol McLeod, was charged with second-degree murder. (August 1999)

**Christine Norcia**, 22, Toronto. Christine was stabbed to death. Her boyfriend, Nicola Capparelli, was charged with first-degree murder. (October 1999)

**Dori-Lynne Caroll**, 30, mother of two, Thunder Bay. Dori-Lynne was found strangled in her home. Her two children were asleep in their bedroom at the time the body was found. Her estranged husband, Bryan Caroll, was later found in his truck, dead of a self-inflicted shotgun wound. (October 1999)

**Robin Pope**, early 50s, St. Catharines. Robin was stabbed to death on the front step of her home after a man tried to break in. Her ex-boyfriend, Michael Juanetty, was charged with first-degree murder. (October 1999)

**Valerie Lucas**, 23, mother of two children. Oshawa. Valerie was shot point-blank three times in a parking lot where she had gone to provide child access to her ex-partner. Robert Richard Bateman was charged with first-degree murder. He fled the scene with the children and later turned himself in. The children were found later in a hotel room and turned over to child welfare. (December 1999)

**Xiaoyan (Shirley) Liu**, 28. Toronto. The body of Xiaoyan was found slashed and stuffed into a suitcase. A warrant was issued for the arrest of her boyfriend, Chuan (Charley) Cai, who disappeared after the murder. (January 2000)

**LaMura Meere**, 75. Sarnia. LaMura was beaten to death. Her husband, Arthur Meere was charged with second-degree murder. (January 2000)

**Hemoutie Raghunauth**, 28. Pickering. Mother of one child. Hemoutie was poisoned on Mother's Day. An autopsy showed that she was pregnant with her second child at the time. Her husband, Ganeshram Raghunauth, was charged with first-degree murder two months later. (May 2000)

**Haraap (Jay) Bolla**, 29, Mississauga. Harjaap was stabbed to death and then moved to a van, which was then set on fire. Balbir (Bobby) Singh, her ex-boyfriend, then killed himself in the van

by fire. Singh had been charged with criminal harassment and was under a peace bond not to go near Haraap or her family. (June 2000)

**Gillian Hadley**, 35. Pickering. Gillian was shot to death in a desperate bid to save herself and her baby on a street in Pickering. Her ex-partner, Ralph Hadley, dragged her back into her house after neighbours took her child to safety, then killing her and himself. Ralph Hadley had breached several court orders and was out on bail on charges of assault, criminal harassment and breaching orders. (June 2000)

**Bohumila Luft**, 27, and her four children, **Daniel**, 7, **Nicole**, 5, **Peter**, 3 and **David**, 3 months. Kitchener. Bohumila was stabbed to death. Her four children were then shot to death. Her husband, Vilem, then shot himself. (July 2000)

**Laurie Lynn Vollmershausen**, 35. Mother of two children. Stratford. Laurie was stabbed to death. Her two children, aged 8 and 10, ran from the house to get help before the murder. Police found her partner, Joseph Theodore Willemsen, in the house with self-inflicted, but not life-threatening wounds. He was charged with first-degree murder. (July 2000)

**Jennifer Zumach**, 21. Mother of one child. Orangeville. Jennifer was missing since early in 1999 but was not found until September 2000, when her head was discovered in a box on the back of her ex-partner's motorcycle. Her remains were later found buried. Her partner, James Vernon Randall, who reported Jennifer missing, was charged with first-degree. (January 1999)

**Michele Chiesa**, 34. Ottawa. Michele's body was found, bound and stabbed repeatedly, in the freezer of the bar where she worked. Her boyfriend, Michael Shott, was charged with first-degree murder. (September 2000)

**Eva Papousek**, 36. Mississauga. Eva was found dead in her apartment by police after her car, driven by her boyfriend, was involved in a road accident and police made a routine check on her residence. Janusz Rybak was charged with first-degree murder. (October 2000)

**Margaret Daw**, 23. Burriss. Margaret's body was found in a residence after police were called in a shooting incident. Michael Tetu was arrested at the scene and charged with second-degree murder. (November 2000)

**Christine Marie Rockery**, 35. Brantford. Mother of four children. Christine died of multiple stab wounds. Her husband, Paul Edward Rockery was charged with first-degree murder. (November 2000)

**Donna Pritlove**, 46. Keswick. Donna was shot to death at her home. Her partner, David Woods, was charged with first-degree murder. (November 2000)

**Annaluxumy Perrambalam**, 73. Toronto. Mother of four children. Annaluxumy was stabbed to death in the bedroom of her apartment. Her husband, Ponnabalam Perrambalam, was charged with second-degree murder. (January 2001)

**Marcia Harmon**, 42 and her daughter **Danielle**, 6. Pickering. Marcia and Danielle were stabbed to death in their home. Her husband, Montgomery Harmon was arrested and charged with two counts of second-degree murder and taken to hospital with self-inflicted wounds. He later died at the hospital. (March 2001)

**Desvinder “Jessie” Kaur**, 26. Malton. Desvinder was trapped in a basement apartment and set on fire. She was then prevented from leaving the room and a neighbour was prevented from fighting the fire or rescuing her. Her ex-husband, Harbhajah Singh, was identified as the one who set the fire. He was also set ablaze during the fire and later died in hospital. (May 2001)

**Shelley Lynn Cowell**, 38. Woodstock. Shelley died in her home of multiple stab wounds to the upper body. Her husband, Christopher Cowell, who disappeared after the murder, was later arrested and charged in her murder. (May 2001)

**Ruth Smith**, 71. Woodstock. Ruth was found dead in the bedroom of her home. Her husband of 50 years, Bruce Smith, was found hanging in the garage. A note left at the scene led police to conclude that the deaths were a murder-suicide. Ruth’s three daughters had expressed fears for their mother’s safety and had tried to take steps to intervene. (May 2001)

**Delphine Adamson**, 62. Sudbury. Delphine’s decomposing body was discovered by campers in a shallow gravesite. She died of blunt force trauma to the head and her identity was confirmed by dental records examination. Her husband, Michael Adamson was charged with first-degree murder. (May, 2001)

**Jeanine Perry**, 20. Kingston. Jeanine was shot to death by her ex-boyfriend, who was serving a sentence for charges relating to his abuse of Jeanine on weekends, as she was on her way to work. Michael Shawn Martin then shot himself. Jeanine’s father, who was had just dropped her off, witnessed his daughter’s murder. (May 2001)

**Andrea Schneider**, 38. Ajax. Mother of three children. Police discovered Andrea’s body stuffed in the trunk of her car at a shopping centre. They believe she died in the garage of her home as a result of blunt force trauma to the head. Her common-law husband, James Stewart Poland, was charged with second-degree murder. (June 2001)

**Nancy Pimentel**, 26. Brampton. Nancy’s decapitated and dismembered body was found in a garbage can near Cleveland. Her boyfriend, Gerald Lee Thompson, was arrested and charged with murder in Arizona. Nancy had met Thompson through the Internet and had moved with him to Ohio. (June 2001)

**Lilawattee (Yvette) Budram**, 41. Mother of two children. Mississauga. Lilawattee's skeletal remains were discovered in a ditch in Flamborough in April of 2001. She had been strangled and beaten with a blunt object. Her husband, Mohan Ramkissoon, was charged with first-degree murder. (June 2001)

**Barbara Hedberg**, 43. St. Mary's. Barbara was found shot to death in her home. Her husband, Joseph White was also found in the home dead of self-inflicted a gunshot. (July 2001)

**Linda Miller**, 48 and **James Riordan**, 30. St. Mary's. Linda Miller was shot to death during a visit to her daughter by her estranged husband, who then turned the gun on himself. He had already shot to death the boyfriend of his daughter, who was screaming for help outside the home. Neighbours expressed shock and one was quoted as saying "he wasn't out there fighting or chasing her around with a frying pan." (July 2001)

**Fatemeh Bakshei Tehrani**, 86. North York. Fatemeh died of multiple stab wounds. Her husband, Hossein Ali Nakhostin Ansari was charged with second-degree murder. (August 2001)

**Fatima Hasan**, 36. Scarborough. Mother of two children. Fatima was killed while her children were moved to another room of the house. Police did not reveal the cause of death. Fatima had separated from her husband. Najib Anwar, the cousin of her ex-husband was charged with first-degree murder. (August 2001)

**Deena Naw**, 31. Ottawa. Deena was beaten to death in her apartment, after which her husband calmly called police to report the attack and wait for their arrival. Kolumbus Moo was charged with second-degree murder. (September 2001)

**Fiona Davreux**, 32. Hamilton. Mother of two children. Fiona was taken to hospital after a 911 call by her husband to say she had collapsed at their home. She was declared dead on arrival and a post-mortem exam showed that she had died of an insulin overdose, although she was not a diabetic. Two weeks later, after police had confronted her husband, a surgeon at a local hospital, with suspicion that he had injected the insulin, Dr. Christopher Davreux was found dead of self-inflicted poisoning. A year later, after an exhaustive investigation, police determined that the case was a murder-suicide. (September 2001)

**Tara Rutherford**, 26. Mississauga. Mother of one child. Tara was found dead in a bedroom of her home. Her common-law partner, Trevor Lawrence, was also found dead. Police did not reveal the cause of death, but indicated that it was a murder-suicide. Lawrence was under court order to stay away from Tara. (September 2001)

**Beverley Lloyd**, 66. Belleville. Seventy-two year old Richard Lloyd stabbed his wife repeatedly until she died and then he turned the knife on himself and repeatedly stabbed himself in the chest. A police officer who had been a paramedic performed CPR on him while waiting for the ambulance. He was convicted of manslaughter. (September 2001)

**Heather Rapai**, 47. Simcoe. Heather was beaten to death in the apartment she shared with her son. She was separated from her husband, Ervin Rapai, who was charged with first-degree murder. (September 2001)

**Nicola Loughlin**, 36. Scarborough. Police did not reveal the cause of death. Nicola's husband, James Richard Loughlin, was charged with second-degree murder. (September 2001)

**Suzanne MacDonald**, 32. Kitchener. Mother of one child. Suzanne was shot three times and was found in a pool of blood at the door of her home. Her husband, Keith MacDonald, was found dead of a self-inflicted gunshot in another room. The murder-suicide took place while Suzanne's 6-year-old daughter slept in her bedroom. (October, 2001)

**Lubica Maca**, 44 and **Desmond Perriera**, 56. Scarborough. Lubica died of multiple stab wounds to the chest and abdomen. Desmond Perriera, a family friend, was also stabbed to death before Jiri Maca also killed himself. The Macas' 22-year-old son was also injured in the attack. (October 2001)

**Joyce Mattinson**, 68. Scarborough. Joyce was found beaten to death in her home. Her husband, Bernard Mattinson, was found wandering in the area and was taken to hospital for observation. He was later charged with second-degree murder, but police were awaiting results of the medical background before officially arraigning him. He was reported to be an Alzheimer's patient. (November 2001)

**Patty Anne Killingbeck**, 30. Kingston. Mother of two. Patty Ann was beaten to death in her home. The body was hidden in an upstairs closet for a day before the accused dumped it in a wooded area north of Kingston. Patty had two daughters from a previous marriage who were 9 and 11 at the time of her death. Patty's grave site was found in December 2005. In April of 2006, police recovered her skeletal remains. Ian Esford, her common law partner, was convicted of second-degree murder. Six months prior to her murder, Ian Esford assaulted Patty in a manner very similar to the attack in which she died. (November 2001)

**Nuzhat Amiji**, 23 and her brother **Naeem**, 20. Mississauga. Nuzhat was stabbed to death and her brother also stabbed after she refused proposals of marriage from a man. Mahaboobbhoy Adamjee was convicted of second-degree murder and sentenced to life in prison with no parole for 15 years. (November 2001)

**Kathleen Schembri**, 53. Orillia. Kathleen was found shot to death in a burned-out car in the driveway of her home. Police found her common-law partner, Michael Martin, in the home with self-inflicted gunshot wounds. He later died in hospital. According to media reports, acquaintances described Martin as a "good guy." His brother was reported to say, "This is a family thing and I would rather keep it that way." (December 2001)

**Tamara Helen MacInnis**, 31. Hamilton. Mother of three children. Tamara was bludgeoned to death in her home. Her husband, Eric Campbell, was charged with second-degree murder. (December 2001)

**Karen Grubb**, 33. Walkerton. Mother of three children. Karen's bloodied body was found by her brother-in-law in a tractor bucket on the farm where she lived. Cause of death was not reported. Her husband, Randy Grubb, was charged with first-degree murder. (January 2002)

**Wadha Albadri**, 29. Ottawa. Mother of three children. Wadha was repeatedly stabbed in her apartment while her 19-month old baby was nearby. A friend dropping off Wadha's two older children heard the baby crying and called police when she couldn't get an answer at the door. Hussain Hassan Abdullah, her estranged husband was charged with first-degree murder. (January 2002)

**Glenda LaSalle**, 36. Barry's Bay. Glenda was found shot to death in her apartment, shortly after returning from work. Her partner of 12 years, Bryan Crogie, was charged with first-degree murder. He was described by a friend as "a real good guy". (February 2002)

**Alexis Currie**, 2. Scarborough. Alexis was stabbed to death during an access visit with her father. Peter Currie was later charged with first-degree murder, abduction, possession of a weapon and carrying a concealed weapon. He had recently been convicted of assault against his ex-partner, Alexis's mother. (March 2002)

**Marisa Pasqualino**, 36. Woodbridge. Mother of four children. Police have not released the cause of death. Her husband, Cosmo Pasqualino was charged with second-degree murder. (May 2002)

**Shirley Snow**, 44. Shirley was beaten and then run down with a van in a shopping mall parking lot. Her husband, Angus Snow, was charged with first-degree murder after police found him in Thunder Bay suffering from a drug overdose. (May 2002)

**Jessica Nethery**, 21. Sarnia. Jessica died of multiple stab wounds in an underground parking lot. Her ex-boyfriend, Jeremy Molitor was charged with first-degree murder. (May 2002)

**Maria Fitzulak**, 26. Hanmer. Mother of two children. Maria was found dead in the basement of her home. Her body showed signs of severe blunt force trauma. Her husband, Michael Gareau, was found dead at another location of a self-inflicted gunshot wound. (May 2002)

**Mary Ellen Filer**, 48. Port Stanley. Mother of two children. Mary Ellen and her husband, David Filer were found by their teenage son shot dead in a suspected murder-suicide. Family members claimed there had never been a history of domestic violence and that rumours of domestic abuse weren't true. (May 2002)

**Shannon Cruse**, 23, her daughter **Shaniya**, 6, and her parents **Mary and Donald Cruse**. Grimsby. Mother of one child. Shannon was shot to death by her ex-boyfriend, Peter Kiss, who had crossed the border from the United States with a gun. Kiss then went to Shannon's home and shot to death her daughter and her parents before turning the gun on himself. (June 2002)

**Libuse Vesely**, 77. Toronto. Libuse was bludgeoned to death in her home. Her husband, Eugene Vesely, then hanged himself. Media reported that Eugene Vesely had been diagnosed with terminal cancer before the murder-suicide. (June 2002)

**Patrycja Skibinska**, 17. Mississauga. Patrycja's drowned and beaten body was discovered in a creek. Her boyfriend, Prabhjot Monty Singh was charged with second-degree murder one month later. (July 2002)

**Karen Drinkwalter**, mother of two, and her friend, **Wes Goff**. Lindsay. Karen was shot to death while her two teenaged daughters slept. Wes Goff was later shot at his home nearby. Wayne Drinkwalter, Karen's estranged husband, was later killed in an accident after driving over a spike belt set up by police to capture him. Drinkwalter had been under conditions to stay away from Karen after previous charges of uttering death threats and two counts of assault. (July 2002)

**Kelly Glover**, 36, mother of two. Hamilton. Kelly drowned while on a camping trip to Bracebridge in **August of 2000**. Her husband, Richard James Glover, was charged with first-degree murder in **June of 2002** after the death was ruled a homicide. Richard Glover has launched defamation lawsuits against the police as a result of the police investigation. (August 2000)

**Cheryl Topping**, 19. Peterborough. Cheryl died of multiple stab wounds. Her body was found under a water tower. The body of her ex-boyfriend, Joel Phillips, was also found there. He died of a self-inflicted stab wound to the chest. (August 2002)

**Robert Lawrence Mends**, 2. St. Catharines. Robert was stabbed to death in the kitchen of his mother's home. His father, Lawrence Frank Mends, was charged with the murder and the attempted murder of Robert's mother Angela Glancy, his estranged partner. He was out on bail following a previous charge of assault and threatening to kill Angela. (August 2002)

**Gail Bonita Blunt**, 39, mother of two. Toronto. Gail died of a slashed throat and multiple stab wounds. She had left home to meet with her estranged husband at her office to discuss separation and custody agreements for their two children. Her estranged husband, Brian Blunt, was admitted to hospital with a drug overdose and was later charged with first-degree murder. (November 2002)

**Ling Wang**, 32. Toronto. Ling's body was discovered by police inside a car parked behind an apartment building in East York. She had been stabbed several times in the chest. Her former boyfriend, Facial Labidi, was charged with first-degree murder. Police reported that Ling had been in the process of moving out of the apartment she had shared with the accused. (November 2002)

**Patricia Loyol**, 48 and her daughter **Marissa**, 13. Toronto. The bodies of Patricia and her daughter Marissa were found in an advanced state of decomposition under a blanket in the bedroom of her home. Cause of death was not determined at the time of the creation of this list. Patricia had suffered a stroke 18 months before her death and had been using a wheelchair since. Family members described the family as a “very close-knit, loving family.” Patricia’s husband, Telford Loyol, was charged with first-degree murder. (November 2002)

**Tracy Lynn Sweet**, 32. Picton. The body of Tracy Lynn was found in the rubble of a house fire when fire officials entered the burned building. She had been shot to death. Also found on the scene was the body of her common-law partner, Dennis Allan Daniels, also dead of a gunshot. Police believe that Daniels shot Tracy Lynn before setting the house on fire and turning the gun on himself. (November 2002)

**Betty Card**, 15, Marmora. A post mortem examination revealed that Betty died as a result of multiple stab wounds. Her body was discovered by police in a wooded area, metres from an elementary school. William Michael Barton has been charged with second-degree murder. Neighbours reported that Betty had been in a relationship with the accused. (November 2002)

**Vera Islamkin**, 56. Thornhill. Vera was shot to death in her home and was found by her adult son after he arrived home. Her husband, Peter Islamkin, was found hanging in the basement. Neighbours said that Islamkin had been suffering from depression and had threatened to kill his wife. (December 2002)

**Carmela Bruni**, Toronto. Mother of one child. Carmela died in hospital after her husband called 911 on Christmas Day to report that she had suffered a head injury. Mel (Emilio) Bruni was charged with second-degree murder. (December 2002)

**Victoria David**, 52. Mother of three. Mississauga. Victoria was strangled to death in her home. Her husband, Emmanuel David, then killed himself. One of Victoria’s daughters called 911 after she couldn’t get into her parents locked bedroom. (January 2003)

**Laurel Price**, 17. Scarborough. Laurel died of head injuries after her skull was fractured by a blow from an aluminum baseball bat. Her 17-year-old ex-boyfriend was charged with first-degree murder. (February 2003)

**Laura England**, 30. Oshawa. Laura was beaten to death in her home. After a four-month investigation, her husband, John Michael England, was charged with second degree murder. (March 2003).

**Marj Smrekar**, 42. Mississauga. Mother of two children. Marj was found suffering from severe trauma in the basement of her home and later died in hospital. Her estranged husband, Vernon Nichols, was later wounded after a police chase resulting in an accident in Eastern Ontario. He

was charged with first-degree murder. A family member was quoted as saying that she “was trying to get a restraining order on him, but the courts said she didn’t have any evidence.” (June 2003)

**Alisse Phillips (Brown)**, early 20s, Hamilton. Mother of one child, Alissa was killed in her sister’s apartment by an ex-convict boyfriend who then turned the gun on himself. He had just been released from prison and had made previous threats to harm her once he was released. (June 2003)

**Natalie Gayle**, 23, Brantford. Mother of two young children. She was shot at her townhouse in the early morning. Her former boyfriend and the father of her second child, Anthony McPherson, was charged with her murder. (June 2003)

**Ibi Roncoaioli**, 66, Thornhill. Ibi died in her home of “multi-drug intoxication” with drugs not prescribed. Her husband, gynecologist Dr. Joseph Roncoaioli, was charged six months later with criminal negligence causing death following a long police and coroner’s investigation. (July 2003)

**Gilda Schaper**, 52, Coldwater. Gilda died as a result of blunt force trauma, but police would not give further details. Her husband, Hans Vogel, was charged with second-degree murder. (August 2003)

**Judy Um**, 32, Etobicoke. Judy was found stabbed to death in her apartment. Her husband, Seung Joon Um was charged with second-degree murder. (August 2003)

**Kui Shang**, 30, Toronto. Kui was found strangled in her apartment. She had come to Canada from China to pursue university studies. Her husband, Bo Li, was charged with second-degree murder. (August 2003)

**Julie Bernier**, 29, Newmarket. Mother of two. Julie was found beaten to death in her living room. A 28-year-old unidentified friend was charged with first-degree murder. (August, 2003).

**Vanessa Bol**, 17, London. Mother of one. Vanessa was shot to death in her apartment after neighbours heard loud voice and Vanessa crying, “my baby, my baby”. Her ex-boyfriend, Emerson Dominguez was charged with first-degree murder. (November 2003)

**Frania Cardenas**, 32, Toronto. Frania disappeared and was gone for five days before she was reported missing. Police alleged that her estranged husband called a cousin about her disappearance and confessed to murdering and burying her. A Canada-wide warrant for second-degree murder was issued on Yanga Wanji, whom police allege boarded a flight to Kenya before Frania was reported missing. (November 2003)

**Mary Yeates**, 57, Port Perry. Mary was found dead in her home by her elderly mother. Her husband was also found dead at the scene. Police referred to the deaths as a possible murder-suicide. (December 2003).

**Natalie Bobeika**, 46. North York. Mother of one child. Natalie was stabbed to death in front of her 13-year-old son, who called police. She had been divorced from her husband for two years and was studying accounting. She had no relatives in Canada after coming from Russia. Her son was placed in the care of friends. Her estranged husband, Iouri Bobeika, was charged with second-degree murder. (December 2003)

**Zofia Bonder**, 45. Mississauga. Mother of three children. Zofia was stabbed to death as her children slept. Her daughter found her bleeding to death and called 911. Her husband, Maciej Bonder was found in the home with minor self-inflicted wounds and charged. Police reported that there had been a history of problems in the relationship and police had been called to the home during the previous year. (December 2003)

**Maureen Nicholson**, 39. Kingston. Mother of one. Maureen was found by her 12-year-old daughter, shot to death. Maureen's husband, Ian Nicholson, a police officer, was also found dead, in what police described as a murder-suicide. Police believe the off-duty officer had used his service pistol in this homicide. (December 2003)

**Christina Sukhdeo**, 19. Etobicoke. Christina's body was found dead of multiple stab wounds in a field after police officers had arrested a man described as her former boyfriend. She had been reported missing by her family five days earlier. Tarick Persaud was charged with first-degree murder. (December 2003)

**Rebecca Haney**, 2. Woodstock. Rebecca's body was found in the basement of her home after her mother, Misty Haney, reported her missing from her bed on Christmas Eve. Misty's partner, Melissa Babineau has been charged with second-degree murder. (December 2003)

**Ilya Kapustyan**, 14. Hamilton. Ilya was beaten and strangled to death in his home on Christmas night while his mother was working a nursing shift. On her return home she found his body. A burglar alarm had sounded in the home, but there was no response. The boy's step-father was charged with first-degree murder. He had a restraining order against him and had been charged with assault on Ilya's mother.

**Adele Matinet**, 22. Atikokan. Adele died in her home from internal injuries caused by blunt force trauma. She had been upgrading her skills and had plans to continue her education. Dennis Trout was charged with second-degree murder in her death. (February 2004)

**Jo-Ann Robertson**, Bracebridge. The bodies of Jo-Ann and her husband, Murray, were found inside their home. Jo-Ann had been shot in the back. Her husband then turned the gun on himself. Four years ago, a son died of natural causes and police reported that Mr. Robinson had been depressed ever since. (April 2004)

**Angelika Pauls**, 51. Grimsby. Angelika fell from a 15-metre cliff at a conservation area November 23, 2003. The death was originally ruled accidental after one autopsy, but a second

autopsy was ordered after police received new information and her common-law husband was later arrested. Milorad (Mike) Polimac was charged with first-degree murder. (April 2004)

**Irene Peteigney**, 30. Mother of two. Barrie. Irene died in hospital of injuries received earlier in her home. Her children were present at the home when police arrived. Neighbours reported ongoing abuse and concern for the children, as well as reports to police. “He was a miserable guy and everybody knew he had a temper,” said one. Michael Peteigney was charged with second-degree murder. April 2004.

**Yhonette Ying**, 25. Mother of one child. Toronto. Yhonette was shot to death with a homemade weapon outside her home. Her common-law partner, Jason Lopic, was charged with second-degree murder. (May 2004)

**Janice Lewis**, approx. 40. London. A nurse and mother of one and grandmother of a 10-month-old baby. Janice was found dead after an explosion and fire in her home. Her partner, Albert Howard, was charged with first-degree murder and attempted murder in the explosion that killed Janice and sent her granddaughter to hospital. (May 2004)

**Hemattie Roopdial**, 25. Mother of two children. Etobicoke. Hemattie’s body was found in a closet of her home several days after she and her estranged husband went missing. Relatives and her children were living in the home at the time, and a search had been conducted earlier by police. Police reported that there had been a history of “domestic disturbances” in the relationship and that the couple were about to divorce. Police are searching for Dillraj Roopdial as a suspect in the murder. (May 2004)

**Sonia Abbas**, 30. Ottawa. Sonia was strangled to death by her ex-husband, Michael Sterling, who then slit his own throat. (May 2004)

**Brenda MacDonald**, 52. Mother of two children. Nepean. Brenda was shot to death by her husband, Bruce MacDonald, who then turned the gun on himself. Her two children were asleep at the time, and her 12-year-old son found her body and the body of his father the next morning when he awoke. One neighbour described the murderer as “a wonderfully bright and cheerful guy” and the couple as “very low-key people.” Another described them as “a nice little family.” (June 2004)

**Henny Ann McAlpine**, 48. Toronto. Henny Ann was found stabbed to death on the lawn of her apartment building and was pronounced dead at hospital. Her husband was found dead 30 minutes later after witnesses said he “hurled himself” into traffic and was struck by a car. Police determined that the deaths were a murder-suicide. Neighbours described the couple as “incredibly loving” and “nice people” but also said they didn’t talk to their neighbours and were “together all the time.” (July 2004)

**Janice Cudjoe**, 48. Oshawa. Mother of two children. Janice was stabbed to death inside her house. A friend who was with her to help her pack and leave her partner was also assaulted and injured, but survived. Randy Cudjoe, 47, was charged with second-degree murder. (July 2004)

**Fernanda Santo Conceicao**, 51. Toronto. Mother of three adult children. Fernanda was bulgeoned to death with a hammer in her home. Her husband, Manuel Dos Santos, 57, was charged with second-degree murder. Neighbours described Fernanda as a “happy woman” and her partner as a “nice guy.” (August 2004)

**Rosaura Tolentino Ramos**, 26. North York. Rosaura’s body was found in a penthouse highrise apartment after she was reported missing. Her husband, Juan Antonio Avalos, was being sought by police for questioning in the murder. (September 2004)

**Susan Kilby**, 39. St. Catharines. Mother of two children. Susan was found in the home of her estranged husband with her skull smashed in by blunt force trauma. She had been separated from her ex-husband for over a year and had gone to the house to pick up her children from an access visit. A phone call was placed to 911 and the dispatcher listened to sounds of an argument while sending police. By the time police arrived, however, Susan was dead. The children were nearby when the murder occurred, but police were not sure if they were witnesses to the murder. Patrick Kilby was charged with first-degree murder. Only a few weeks before the murder, community protests arose over a T-shirt being sold locally with the words “She was asking for it” accompanied by a picture of a hammer. Supporters of the T-shirt characterized it as a “joke” and one scoffed at the protests telling media that no one would really smash someone’s head with a hammer. (October 2004)

**Diana Keeney**, 34. Ottawa. Diana was choked and strangled to death in her apartment. She was living with a developmental disability and was a very trusting person, according to her brother. Christopher Baldwin, who had been in a relationship with Diana for a short time previous to the murder, was charged with second-degree murder. (October 2004)

**Valerie Gutteridge**, 50. Huntsville. Valerie was found dead at her home after a 911 call. A post mortem was scheduled to determine the cause of death. Her partner, Lloyd Alan Ingraham, was arrested at the scene and charged with first-degree murder. (November 2004)

**Cimarron Doncaster**, 24. Mother of three children. Toronto. Cimarron was slashed to death in her home. Her new partner, Dean Plante, 30, then hung himself. Cimarron’s 7-year-old son woke to find his mother dead and Plante’s hanging body and guided his younger siblings, 4 and 3, to a neighbour’s house to get help. (November 2004)

**Krystyna Zajaczkowska**, 44. Mother to two young adults. Toronto. Krystyna was found stabbed to death in her home on New Year’s Eve. Her husband, Jacek Zajaczkowska, was arrested and charged with second-degree murder. Neighbours reported that it wasn’t the first time police had come to the house but said that the accused was “the kind of guy who takes his family

everywhere. Every Sunday you'd see them jump in the car together and go to church. From what I could see, they seemed very calm." (December 2004)

**Aysegul Candir**, 47. Toronto. Aysegul was ambushed and shot down in a parking lot after getting out of her car at a school where she taught ESL. Her estranged husband, Erhun Omer Candir, was charged with first-degree murder. He was originally granted bail with 23 strict conditions, but bail was revoked before he was released after a public outcry. (December 2004)

**Dorothy Halton**, 40. Ottawa. Dorothy was found strangled to death in her condo. She was an emergency room physician who was described by her friends and family as compassionate, energetic and talented. Her ex-boyfriend, Burns Coutts, a senior policy advisor with Environment Canada, was charged with first-degree murder. (December 2004)

**Laura Wilson**, 23. London. Laura was found dead in her home of a number of stab wounds after a friend, also wounded in the attack, fled and called police. Laura had recently broken off a relationship with her boyfriend, James William VanDerSanden, who was later charged with first-degree murder in the killing. "Nothing like this happens around here," said a shocked neighbour. (January 2005)

**Heather Williams**, 27. Thorold. Mother of two. Heather was shot to death by her estranged husband, Tony Williams, who then committed suicide. The couple were described as having many arguments, some publicly and her parents had been quoted as saying that they were "afraid" for her, but one friend said: "He looked rough and tough, but it was just his image. He wasn't a mean or violent guy at all." (February 2005)

**Michelle Kennedy**, 34. Trent Hills. Michelle was found shot to death in her home by a concerned relative. Her estranged husband, Darrin Kennedy, was also found dead at the scene. Investigators determined that he shot Michelle and then himself. (February 2005)

**Szilvia Veres**, 35. Toronto. Szilvia and her husband were ambushed and shot in an underground garage by John Kovacs, a former boyfriend of Szilvia. Her husband survived but Szilvia died. Kovacs later killed himself in a Quebec hotel room. Kovacs had a history of threatening and criminally harassing Szilvia after the relationship ended and had been charged with four counts of criminal harassment and one count of threatening death. He was released on \$1500 bail and a condition not to contact Szilvia. (February 2005)

**Lydia Gayle**, 24. Toronto. Mother of one. Lydia was found in her apartment bleeding to death from a stab wound to her chest. She died later in hospital. The single mother was living with her mother at the time. Her ex-boyfriend, Shawn Persaud, was charged with second-degree murder. (February 2005)

**Monika Hummel**, 36. Hamilton. Monika was beaten and strangled to death in her home. She had split up with her boyfriend, Randy Gater, in the fall of 2004 and was dating someone else at the time of the murder. She worked as a legal secretary, was well-liked and was active in the community. Randy Gater committed suicide two weeks after the murder. (February 2005)

**Marilyn Fraser**, 48. Port Rowan. Marilyn died of smoke inhalation in a fire at her home. Firefighters found her near a door where she was apparently trying to escape. She was living with a disability after falling off a ladder and breaking her back several years ago. Police charged her estranged husband, Doug Fraser, with first-degree murder. (April 2005)

**Muluka Hassan-Ali**, 23. Toronto. Mother of one. Muluka was shot to death in her apartment. Police issued an “Amber Alert” after the body was found to search for Muluka’s two-year-old son. The child was found safe the next day and a warrant for first-degree murder was issued for Amin Mohamed Kassim, the common-law husband of Muluka and father of the child. Kassim was also facing charges for allegedly firing shots as a taxi driver who transported him and his son to several locations in the Greater Toronto Area. Friends of Muluka reported that the woman had stayed at a local women’s shelter for a long period of time. Relatives of the arrested man described him as “a really good guy” who would never hurt his son. (May 2005)

**Vanessa Sismar**, 24. Kitchener. Vanessa was stabbed in her home. Police had been called and they brought her to hospital where she died. Her ex-partner, Rohan Hunigan, was charged with two counts of breach of probation and second-degree murder. (June 2005)

**Yorn Mey**, 49. London. Police responding to a domestic disturbance found Yorn dead in her home. A post mortem determined that she died of blunt force trauma to the head. Her husband, Ngeab Khin was charged with second-degree murder. (June 2005)

**Donovan Clubb**, 22 months. Chatham. Donovan’s remains were found in a wooded area near Cambridge after his mother’s ex-boyfriend was arrested. The disappearance of Donovan sparked an Amber Alert after his mother found that he wasn’t in the house. Her ex-boyfriend, from whom she had just separated, had taken the boy on a fishing trip and upon returning to her home, claimed that the boy was asleep in the basement. In the morning, his mother found him missing and called police. Shawn Palmer was charged with first-degree murder. (July 2005)

**Hafiza Chowdhury**, 41. Mother of two. Scarborough. Hafiza was beaten with a hammer in her home and later died in hospital. Her children were in the home when the police arrived in response to a 911 call. One neighbour was quoted in the media as saying: “To me, they were a very good family. I was very close to the children. She (Hafiza) was very sweet and he was very hard working. Basically, it came as a big shock.” Her husband, Rafat Chowdhury was charged with second-degree murder. (July 2005)

**Patricia Kirk**, 60. North York. Police responding to the home found Patricia dead and her husband injured. Reports later said that she had been drowned. Her husband, Raymond Kirk, was charged with first-degree murder. (July 2005)

**Linh Tran**, 48. Burlington. Mother of one. Linh was murdered in the home that she had shared with her husband for the past 18 years. Her husband, Me-Ke Tran was charged with her murder. (August 2005)

**Lois Mordue**, 59. Woodstock. Lois died of multiple stab wounds to her chest. She had left her husband eight months before the murder. Her son said about his mother: "I was so proud of her, all her worries were lifted, she took a fearless outlook to a new chapter in her life."

Police became alerted when they discovered her estranged husband wandering the streets with injuries that appeared to be from an apparent failed suicide attempt. Erland Wallace was charged with second-degree murder. (August 2005)

**Chui Wah Chan-Lee**, 72. Markham. Chui died of a fractured larynx in her home. Her husband called police for help for his wife, but emergency workers found her dead when they arrived. After a 7-month investigation, police arrested Yiu-Wah Chan at Pearson Airport and charged him with second-degree murder. (August 2005)

**Deja Ducross**, 25. Cornwall. Deja died of injuries in hospital after being found unconscious in her home by police and paramedics. Her sister described her as "insightful beyond her years" and said, "You could be feeling completely, totally horrible about yourself, but if you have a conversation with my sister, you walk out of there feeling like you're the most amazing person on earth." Terry White, who was in an "on-again, off-again" relationship with Deja, was originally charged with attempted murder. (September 2005)

**Edith Francomano**, 62. Toronto. Edith was found lifeless in her home after a man reported her death to police. Cause of death has not yet been determined. Her husband, Mario Francomano, was charged with second-degree murder. (September 2005)

**Jocelyn Juriansz**, 29. Toronto. Jocelyn was attacked by her boyfriend of less than a year and left to die. He then fled, crashing his car into a wall where he died. The Jocelyn Juriansz Memorial Foundation was established in her memory and fundraises each year to support women experiencing abuse. (September 2005)

**Lindsey Dibert**, 23. Kingston. Lindsey was stabbed in her home and later died in hospital. Stephen Steacy was charged with second-degree murder after being transported to hospital with undisclosed injuries. Lindsey's aunt was quoted as saying: "She was so cheerful, always upbeat, she didn't have an enemy in the world. She had a big, big heart." (September 2005)

**Sandra Schott**, 32. Ingersoll. Mother of three children. Sandra's body and that of her husband were found in a burned-out car in a wooded area. Police had been searching for Sandra and her husband in what police described as a "serious domestic situation" in which they believed Sandra had been abducted. Three weeks previously, police had escorted Sandra's husband off the home premises after another incident. (October 2005)

**Hee Jeung Choi**, 33. Richmond Hill. Hee's body was found by police in her apartment. No cause of death has been released and an autopsy has been scheduled. Her partner, Young Huan Lee was charged with second-degree murder. (November 2005)

**Lori Dupont**, 36. Windsor. Mother of one child. Lori was stabbed to death inside the hospital where she worked as a nurse. Her estranged boyfriend, who was a doctor at the same hospital, was later found unconscious in his car of an apparent drug overdose. He was later identified as Dr. Mark Daniel, an anesthesiologist at the hospital. Lori had feared for her life and had applied for a peace bond, but the hearing was weeks away. The hospital said that it had been working with her on safety issues, and had at one point placed the doctor on leave, but also said that there “was not sufficient basis ... to take any definitive action against him.” A first-degree murder charge was pending against the ex-partner when his death was announced. (November 2005)

**Maryann Davis**, 25. Zhiibaahaasing First Nation. Mother of two. Mary Ann was shot to death two days before her partner, who was out on bail, was to appear in court to answer to charges of prior violence against her. An autopsy has been ordered to determine the exact cause of death. Her partner, Brent Kells, has been held in the killing. (November 2005).

**Rose Marie McGroarty**, 46. Toronto. Rose’s dismembered body parts were found in several locations around Toronto and were unidentified. Police concluded two weeks after the remains were first found that the murder was a ‘domestic’ and asked the public to examine any relationships in which a woman they knew was missing. A person in her neighbourhood called police as a result of this request for information. Robert Wiszniowski, her common-law partner, was charged with second-degree murder. (November 2005)

**K’Leigh Cundall**, 21. Ottawa. K’Leigh was stabbed 20 times in the neck, head and chest after answering the door to her basement apartment while on the phone with her boyfriend. Her boyfriend called 911. Police found her dead when they arrived. K’Leigh was a fourth-year biochemistry student, originally from Barrie, who was planning to become a doctor. Former boyfriend, Anthony Roach was arrested on the scene and taken to hospital, evidently suffering from a drug overdose. He was later charged with first-degree murder. (December 2005)

**Rosalinda Concepcion**, 32. Welland. Mother of three. Rosalinda was found strangled to death in her home after she failed to pick up her children from school. Police and child welfare authorities arrived at the home and discovered her and her common-law partner in the house. Leonard James Kelly was taken to hospital with a “medical condition” and later charged with first-degree murder. (January 2006)

**Rose Boroja**, 54. Markham. Mother of three. Rose was found in her home strangled to death, with “obvious signs of trauma” to her body after a relative placed an emergency call to police. Her husband, Pero Boroja later surrendered to police and was charged with second-degree murder. (January 2006)

**Shao-Sang Liang**, 38, her daughter **Vivian Yuen-Yee Chau**, 3 and her son, **Ian Chau**, 5 months. Toronto. Shao-Sang and her two children were stabbed to death in their basement apartment while neighbours listened to their screams. Neighbours, who had often heard banging and screaming in the home but had never intervened, expressed disbelief and surprise that the

murders had occurred. They alternately described the family as “anti-social”, “not normal”, and “nice people, like a happy family”. Media reports emphasized the trauma suffered by police when they entered the scene and the difficulty of police dealing with the deaths of children. Huc Minh Chau, common-law partner of the woman, was arrested at the scene and charged with three counts of first-degree murder. (February 2006)

**Wendy LaFleche**, 41, her daughter **Victoria**, 7 and her son, **Jesse**, 3. Aurora. Wendy and her children were beaten to death in their beds. Her estranged husband, John LaFleche, was caught in a police chase near Barrie as he fled and was later charged with three counts of first-degree murder. (March 2006)

**Fallon Mason**, 23. Brantford. Mother of two. Fallon was found dead of injuries from “an edged weapon” in the townhouse that she shared with her two pre-school children, who were present at the time. Later police engaged in a lengthy standoff with a man who finally emerged from another home with injuries and blood-soaked clothing. He was said to have had a previous relationship with Fallon and had been charged in February with breaking into her home and harassing her. He was released on bail in that incident. The children were placed in foster care. Greg Christopher Martins was arrested and taken to hospital. He was later charged with first-degree murder. (March 2006)

**Yvonne Marsh**, 37. Wasaga Beach. Yvonne was found dead in her home after a man turned himself in to police in Toronto, saying he had killed someone. Reports said she had died as a result of an “axe attack”. Yvonne had started a new relationship with a man after separating from her husband. Her husband was not a suspect in the murder. Adam Newman was charged with first-degree murder. (March 2006)

**Jared Andrew Osidacz**, 8. Brantford. Jared was stabbed to death by his father at the home of the father’s girlfriend and her 8-year-old daughter. His girlfriend and her daughter were also stabbed, but survived and were taken to hospital. Approximately an hour later, police shot Andrew Osidacz to death at another resident where he was holding his ex-wife (Jared’s mother) at knifepoint. Osidacz had been convicted in 2003 of assault on his ex-wife. He was ordered to do 75 hours of community service and to give \$300 to Nova Vita Women’s Shelter, as well as to participate in programs. Justice Lawrence Thibideau did not think the crime warranted incarceration. Osidacz was ordered to have no contact with his wife, but an exception was made for contact with Jared through a family court access order. (March 2006)

**Francine Maily**, 37, and her three children, **Jessica**, 12, **Brandon**, 9 and **Kevin**, 6. Ottawa. Francine and her three children were shot to death before their house was blown up and engulfed in flames. Francine was estranged from her husband, Francois, who was found dead on the lawn of the house with a .22 calibre gun beside him. A note outlining his plan to kill the family was found in his van and Francine’s family reported that he had often said that if he couldn’t have her, nobody would. Francois Maily had a history of contact with police as a result of domestic violence and other issues and was under a restraining order to have no contact with Francine at

the time of the murders. Because Francine was in contact with him, police apparently said they could do nothing about his harassment and threats. Francois Mailly was in anger management counselling and the Children's Aid Society also had a file on the family. His family and co-workers were surprised by the murders and described him as a hardworking family man who loved his children. Her family talked about Francine's ongoing fear of him and the lack of police support for her. (April 2006)

**Melody Burtis**, 40 and her son, **Harley Baxter-Burtis**, 8. Sault Ste. Marie. Melody and Harley were abducted from their home and driven to a remote location where they were slashed to death, then taken to a cemetery where they were dumped. By coincidence, police officers were at the cemetery and saw a man near the bodies. Albert Francis Ouimet was arrested and has been charged with two counts of kidnapping and first-degree murder. Police have said that the couple were "known to each other" but have not clarified their relationship further, but others have indicated that Francis Ouimet was Melody's new boyfriend. (April 2006)

**Dale Cheryl Mapstone**, 29. Toronto. Mother of two. Dale was stabbed to death in front of her 10-year-old son Treyvon, who tried to save his mother's life by jumping on the assailant's back, before running to a neighbour for help. Her boyfriend, Vaughn Maxwell Wilson, was charged with second-degree murder. (April 2006)

**Meherun "Mita" Nessa**, 35. Toronto. Mother of three. In a scenario eerily similar to the death of Dale Mapstone, Meherun was stabbed to death in her apartment in front of her 13-year-old daughter Jayba. Jayba was assaulted in the incident and tried to stop the bleeding, but her mother's injuries were too severe. Her husband, Shabbir Mahmud, was charged with second-degree murder and assault. He had been arrested the year before but not charged. The Children's Aid Society was called in. According to a friend, Meherun had said that her husband threatened to kill her if she ever called police. (April 2006)

**Natalie Novak**, 20. Toronto. Natalie was stabbed to death in a house where she was living as a student while she attended Ryerson University. Multiple calls were made to 911 and other students tried to intervene by forcing the door to her room, but it was too late to save her. Her ex-boyfriend, Arsei Hindessa was charged with second-degree murder. Police reported that he had also been convicted of assaulting Natalie the September before and was on probation with conditions to stay away from her. (May 2006)

**Seema Badhan**, 19. Toronto. Seema was thrown off the 10<sup>th</sup> floor balcony of the building where she had lived with her estranged husband. Neighbours reported hearings screaming and arguing but ignored it. Then one neighbour reported hearing a "huge, huge scream" and saw Seema lifeless on the ground below. Neighbours also described the man as "peace-loving" and the couple as "so in love". Zohaib Shaukat was charged at the scene with first-degree murder. (May 2006)

**Ashley Daubs**, 15 and **Stephanie Daubs**, 12. Ashley and Stephanie were killed when, according to police, their father intentionally swerved into a head-on collision with a dump truck, killing all three of them. Police first thought the collision was an accident but later changed their assessment in the light of additional evidence. John Daubs had been charged with uttering threats against his estranged wife, Debbie, the mother of the girls, and had been ordered to stay away from her. (May 2006)

**Deborah Devine**, 33. London. Deborah was found dead following a fire in her home. Her partner, Loranzo Kimpe, was charged with second-degree murder and arson endangering life. (June 2006)

**Cindy MacDonald**, 29. London. Cindy was found with a knife through her chest in the backyard of her home. Her boyfriend, Melvin Flores, was charged with second-degree murder. Flores was out on bail with a no-contact bail condition ordered in April after he was released on a charge of uttering a death threat against Cindy. (June 2006)

**Kamlesh Dhingra**, 58. Richmond Hill. Kamlesh was found by her adult son stabbed to death in her home. Her husband was also found unconscious in the home and was taken to hospital with injuries. Kamlesh had just moved into the house a few weeks before her murder. Police would not call the incident a murder-suicide attempt. The estranged husband, Ved Dhingra, was charged with first-degree murder. (June 2006)

**Gwendolyn Pilgrim**, 35. Toronto. Gwendolyn was found strangled to death in her basement apartment after her boyfriend, Donovan Morrison, turned himself in to police. He was charged with second-degree murder. Morrison had been charged in March with possession of a dangerous weapon and released on bail with conditions to stay away from Gwendolyn, but he had moved in with her again after he was charged. (June 2006)

**Kathy Rajher**, 66. Hamilton. Kathy was stabbed to death by her husband, Vinko Rajher, who then hanged himself. Kathy had repeatedly told her friend that her husband was going to kill her, but her friend would say that he wasn't capable of that. Kathy had recently said that she wanted a divorce and the couple's house had been put on the market several weeks before the murder-suicide. Police had visited the home on a number of occasions and Kathy had also taken refuge in a women's shelter. (June 2006)

**Malena Morales**, 31. Brampton. Mother of two. Malena was found murdered in her home. No cause of death was reported except to say there were "signs of trauma" to her body. A Canada-wide arrest warrant was issued for her husband, Henry Morales. Police believe he has fled to Mexico. (July 2006)

**Audrey Gates**, 85. Burlington. Audrey was strangled to death in her home. Her 85-year-old husband was found bleeding in another room from a self-inflicted knife wound and is currently in hospital. The couple had been married for 55 years. Ronald Gates was charged with first-degree murder. (August 2006)

**Angela Harkley**, 33. Shrewsbury. Angela's body was found in a shallow grave in a marsh-like area about 120 metres from a home she shared with her boyfriend. A post-mortem was scheduled to determine the cause of death. After an hours-long suicidal staff-off with police in an orchard, her boyfriend was taken from a car when he was overcome by fumes from a propane tank he had with him. Bradley Thomas Warwick was charged with first-degree murder. (September 2006)

**Zofia Strojnik**, 54. Mississauga. Zofia's body was found in her home by police after they were called to the residence. Cause of death was not released. Her husband, Julian Strojnik, was charged with first-degree murder. (October 2006)

**Brenda Demoor**, 39. Brockville. Brenda was found dead in her apartment after a 911 call to police, who are still investigating the murder. No cause of death was given but authorities indicated there was trauma to Brenda's body. Neighbours said the apartment had been the site of a few disturbances in recent months. Donald Hutchinson, who lived with Brenda, was charged with second-degree murder. (October 2006)

**Malini Thayakumar**, 36, and her daughter **Neruuya**, 14. Toronto. Malini and her daughter were found dead in their townhouse after a call to 911 by her husband, "Kumar", who had left and was at the apartment of Malini's parents. He told 911 that he had killed his wife and daughter and was going to take his own life. He then jumped from the balcony and was killed. Malini died of wounds to her neck and Neruuya died from "pressure to the neck". Two younger daughters were sleeping at the time of the murders and were unaware that their mother and sister had been killed until police arrived. (November 2006)

**Thayalini Subramaniam**, 31. Markham. Mother of three. Thayalini was found dead in her garage by her 7-year-old daughter. The cause of death was not released. Her husband, Sugirthanraj Kailayapillai was charged with second-degree murder. (November 2006)

**NOTES**

## NOTES