



Northern Solution

Bulkley Valley Lakes District
Response to Domestic Violence

Progress Report

August 21st, 2008

CONTENTS

1. Introduction
2. Overview of DVC Project
3. Goals of the Steering Committee
4. Proposed Domestic Violence Court Model
5. Project Requirements to Proceed
6. Summary

Appendix:

- BVLD DVC Steering Committee Structure
- Local Steering Committee Structure
- Proposed Case Management Committee Structure
- Critical Values and Principles regarding an Effective Justice Response to Domestic Violence
- Roles of Committee Members
- Protocols



1. Introduction

Cases involving domestic violence can present a difficult challenge for everyone working in the justice system. Domestic violence is much more pervasive than the court docket suggests because victims are often reluctant to report and/or to testify. The harmful consequences extend beyond the complainant to include children, extended families and the greater community. The cost to society in financial terms is enormous.

Domestic Violence is different from other crimes. In domestic violence both the victim and offender are known in advance. The offense may occur repeatedly, with the same offender and victim, with increasing violence, and in the privacy of the victim's home. The repetitive nature of domestic violence and the harm it does, not only to the direct victim but also to children in the family demands a different response within the criminal justice system.

A victim of domestic violence will live in constant fear of repeated and possibly lethal abuse. Such fear is amplified by the breach of trust that is implicit with this type of assault. The high risk of repeated and escalating violence demands a faster response, more effective monitoring and justice system processes that will reduce the risk of further violence, and increase the safety of victims and children. At the same time, that response must meet the victim's needs or she may be unwilling to access the justice system in the future.

Domestic Violence Courts exist in many forms across Canada and the United States. They offer a problem-solving, sometimes therapeutic alternative that helps motivate offenders to take responsibility for their violent behaviour early in the justice system process and to come to understand and 'unlearn' this behaviour. A Domestic Violence Court is not a diversion from the system – instead it offers a collaborative new way of stakeholders working together within the system to provide resources for change in people's lives. It can embrace alternative services such as Unlocking Aboriginal Justice programs which may serve to enhance the overall response and its outcomes.

An appropriate response to domestic violence is different depending on the community residents it is intended to serve. As residents and workers in northern BC, in the relatively isolated communities of Hazelton, Smithers, Houston and Burns Lake, the Bulkley Valley Lakes District Domestic Violence Court Steering Committee hopes to develop and implement a model that is unique to our needs.

We propose that a ministry or ministries that are stakeholders in justice and domestic violence issues take on our project, possibly as a pilot, in an effort to determine whether a different way of responding to domestic violence can have a more comprehensive positive effect on individuals, families and communities.

2. Overview of the BVLD Domestic Violence Court Project

The Bulkley Valley Lakes District (BVLD) Domestic Violence Court project began in late 2004 when Judge Bill Jack, after reading the Yukon Initiative document, invited interested community members to come together. Since then, a Steering Committee comprised of key stakeholders in the four communities of Hazelton, Smithers, Houston and Burns Lake, has been formed and has met monthly. Each community has representatives on the Steering Committee, and community reps belong to Local Steering Committees in each community.

Highlights of the past three years include:

- a trip to Whitehorse to view the Yukon Initiative in action,
- a presentation by Jane Coombe, Policy Analyst with Ministry of Public Safety
- receipt of \$7,000 from Victim Services Policy Division, Ministry of Public Safety
- a weekend Visioning Workshop with a facilitator,
- receipt of \$40,000 from the Law Foundation to hire a project coordinator,
- hiring a project Coordinator,
- holding a day long planning workshop,
- AFCC conference attended by Coordinator
- attending a presentation by Jocelyn Coupal, the Crown Counsel associated with the Domestic Violence Unit in the Lower Mainland
- attending a Gitksan Feast in the community of Hazelton
- applying for a B-SAFER Pilot Project for 4 RCMP detachments
- development of protocols
- preparation of a Proposal

Over the past year there has been more focus given to developing a model for the Domestic Violence Court. During that process we identified 8 main stages. This led into discussion about protocols that will be needed between various agencies and participants, and what the treatment program could look like.

Some challenges we have faced: In our efforts to keep each of the four communities equally tied into the project, we have held monthly Steering Committee meetings alternately in the four towns. This has presented traveling concerns. Our geographic challenges are not insignificant. For example, for Steering Committee members in Burns Lake to attend the meeting in Hazelton, means driving for 2.5 hours one way. In the winter this can take longer and present risks. For those with inflexible work schedules like the Judge and Crown Counsel, phoning in to meetings has often been the only option. We have grappled with different ways of meeting, such as by video-conference. This issue continues to challenge us, as does the issue of finding time to devote to the work of the project, and the issue of Steering Committee members changing.

3. Goals of the BVLV Domestic Violence Steering Committee

- improve the safety of women and children;
- create and support a community involved response process;
- encourage more disclosures of domestic violence;
- provide for timely intervention including fast tracking of all DVC cases;
- provide a non-adversarial, effective court-based alternative to formal criminal court as a means of responding to domestic violence;
- reduce the high collapse rate for domestic violence charges;
- hold offenders accountable in a meaningful way;
- provide an appropriate sentencing option to offenders under the close supervision of the court and treatment professionals;
- reduce recidivism
- encourage early acceptance of responsibility and early guilty pleas by perpetrators of domestic violence; and
- provide protection, information and support for victims.

VALUES of the DOMESTIC VIOLENCE COURT as identified by the BVLV DVC STEERING COMMITTEE:

- Integrated — all community resources working together/cooperative/coordinated/collaborative and systemic/big picture/holistic/context
- Safety — we believe that all people have the right to live free from domestic violence
- Respect — - For all people, their communities, history, culture and tradition/and in particular the unique heritage, culture and tradition of Aboriginal People
- Collaboration — We believe that the participants in the Domestic Violence Court process are best served by an inclusive approach.
- Effectiveness — We believe that the Domestic Violence Court process must have positive and measurable results.

FOR THE PURPOSES OF OUR PROJECT, THE STEERING COMMITTEE AGREES:

Domestic Violence includes/is:

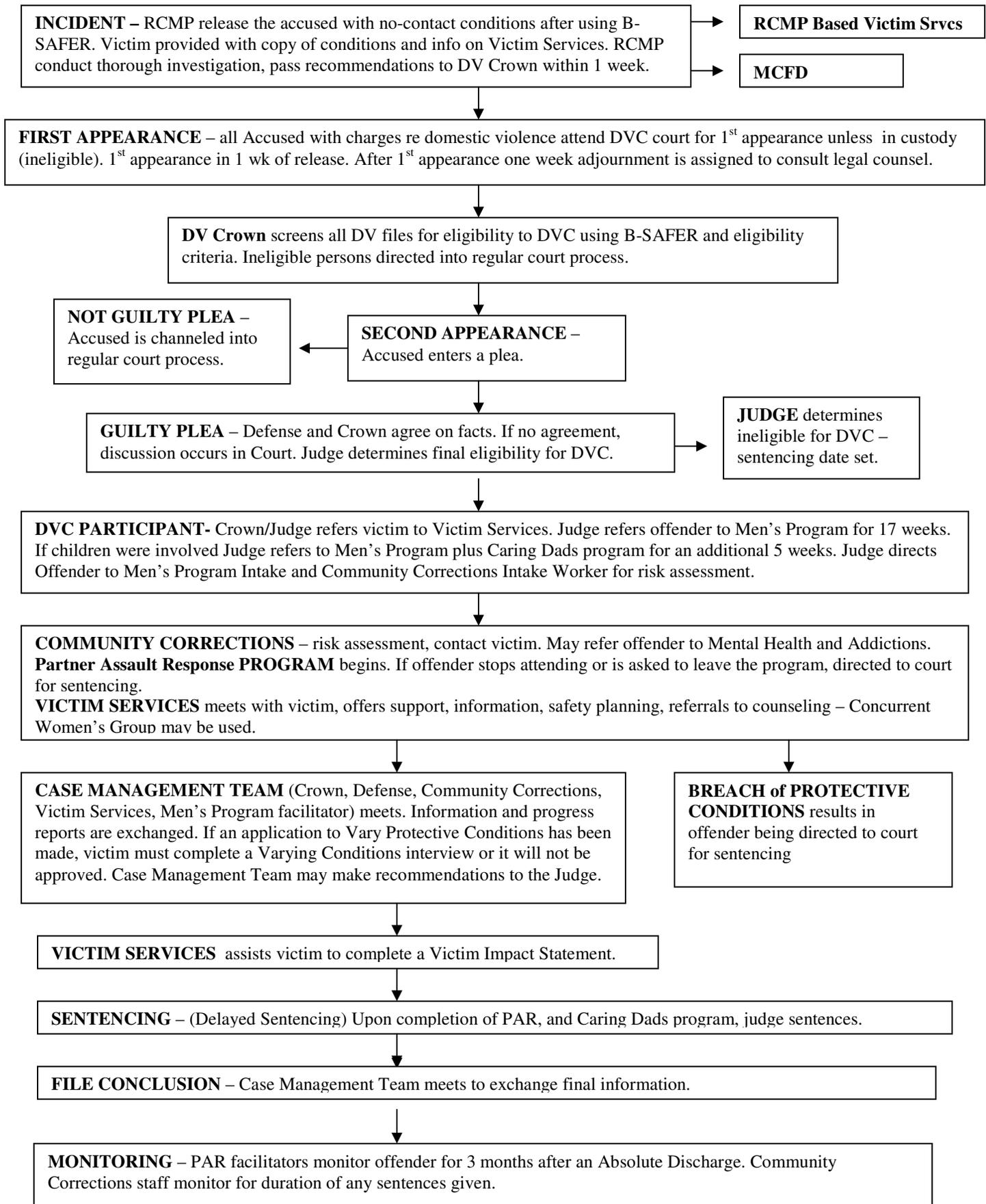
- Violence in relationships
- Violence in family -like relationships
- Violence in a familial or dating relationship
- Can be both current and historical

4. Proposed Domestic Violence Court Model

Stage	Involvement with the Accused	Involvement with the Victim and Children
Incident	RCMP	MCFD, Victim Services, Hospital, Transition House, Community Programs, Neighbors', School, Family, House Group
Arrest	RCMP	MCFD, Transition House, Victim Services, STV Counselling, CWWA
Release	RCMP, Defense, Crown, Judge, Corrections, Family	Bail Supervisor, MCFD, STV counselling, Family
Investigation	Accused, RCMP, Crown, MCFD, UAJ, Community Support	Victim, MCFD, RCMP, STV counselor, Community Support, Crown
Initial Appearance	Accused, Defense, Court, Crown, Community Support	Victim, Crown, Court, MCFD, Victim Services, STV Counselor, Community Support
Arraignment Hearing	Court, Defense, Crown	Court, Defense, Crown, Victim Services, STV Counselor
Partner Assault Response	Case Management Team, Community Corrections (RR Counselling), RVP Counseling	Victim Services, Children's counselling, income assistance, MCFD
Sentencing	Court, Crown, Defense, Case Mgmt. Team	Victim Services, Children's counselling, MCFD, Crown
Monitoring	Community Corrections, Case Mgmt. Team	Judge, Victim Services, Community Corrections
Summary of Stages Identified for the Process	Stage 1: Community/Hospital/Transition Houses Stage 2: Police/Investigation Stage 3: Charge Approval Stage 4: Initial Appearance Stage 5: Guilty Plea Stage 6: Trial Stage 7: Sentencing/Treatment Stage 8: Post-sentence Monitoring	
Protocols Identified (to be Developed)	Police Based Victim Services and Crown MCFD and RCMP Crown and Community based Victim Services RCMP and Victim Services and Community Based Victim Services Community Corrections and RCMP and Crown Community Corrections and Crown and Victim Services Unlocking Aboriginal Justice and Crown and Community Corrections	
Summary Thoughts from the Committee	<ul style="list-style-type: none"> • Who is Eligible for DV Court? • What is the Victim's process while this is happening? • Community Understanding of Domestic Violence – Awareness as part of the proposal • Primary and Secondary Victims – include children's needs and voices • IF/THEN options? --- based on what? -- Victims position? /accused being amenable to treatment? /successful completion of counselling? Judge and Crown involvement with pre-sentence options? Where are community corrections with this? Do we need exemptions'? • First appearance could be on any day for domestic violence files? Speak to judge about this – do cases need to be moved from Houston/Hazelton? • Crown to give the Initial Sentence position (ISP) to Accused at Initial Appearance? • What is the Urban Aboriginal Justice involvement at any of the stages/process? • How does Community Corrections communicate with Victim and Crown? • Ask for Delayed Sentencing? • Increased funding for Treatment Options? • Proposal to be sent to: Attorney General, MCFD, Crown Counsel, Chief Judge and Law Foundation, Others? 	



BVLD DOMESTIC VIOLENCE COURT FLOWCHART



5. Project Requirements to Proceed

HAZELTON

- An analysis of the unique needs of the Hazeltons to determine resources required.

SMITHERS

- Dedicated Defense Counsel for 1 day per week (this could be connected to Legal Aid) who currently provide Criminal Duty Counsel regularly.
- Dedicated Crown Counsel for 1 day per week OR all Crown Counsel trained in DVC program
- Additional funding for a 17 week Partner Assault Response (PAR) program using the existing Relationship Violence Program that would run 1 day per week all year long to be available for ongoing admission PLUS an additional 5 week Caring Dads component for cases which involve children as witnesses to violence.
- Scheduled court time.
- Develop a process for discussion given the various limitations to confidentiality and privacy
- An evaluation process and people to administer it.
- Support from the Attorney General to approve Deferred Sentencing for the DVC.
- Further support to First Nations programs to deliver their programs in addition to the mainstream PAR program.
- Support for additional training opportunities, and equipment/supplies/space rental, etc that may be needed to maintain the project

HOUSTON

- An analysis of the unique needs of Houston to determine resources required.

BURNS LAKE

- An analysis of the unique needs of Burns Lake to determine resources required.



We have already requested:

- Extension of Law Foundation funding for Project Coordinator to March 31, 2009.
- B-Safer Pilot Project training for RCMP Detachments in Hazelton, Smithers, Houston and Burns Lake, plus all Steering Committee members.

6. Summary

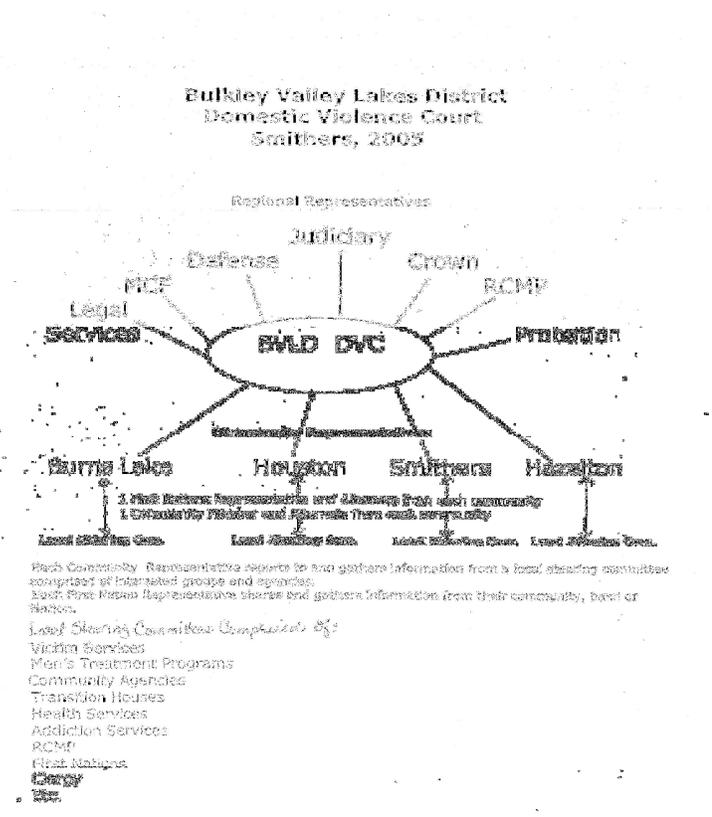
The BVLD Domestic Violence Court Steering Committee has come a long way in the past three years. Up to now, we have been a kind of grass roots movement whose individual work on the committee is motivated by a passion for our work and the people we serve from our various agencies, plus a belief that there is a better response possible to the social problem and crime of domestic violence. We are now, however, at a place where we require significant resources and commitment from relevant provincial government ministries in order to proceed in a meaningful way.

Our proposal is that we be supported and resourced in such a way as to begin to put in place the reality of a BVLD Domestic Violence Court. We believe our project could serve to inform other like-minded projects around BC. We have had discussion about the possibility of phasing-in our project by beginning it in one community, then slowly branching out into the other three communities as the program stabilizes. We believe that this project can become a reality if it is sponsored by one or more ministries who are stakeholders in issues of justice and domestic violence. We propose that a ministry, or ministries, adopt our project as a pilot, and resource it appropriately.

We have attempted, in this document, to highlight our journey to this point, to outline support and resource requirements to continue our project, and to illustrate the potential that exists when individuals who work in agencies with differing interests put their heads together in a collaborative manner to find a better way.

APPENDIX

- BVLVD Steering Committee Structure



Steering Committee Members include:

- Judge
- Crown Counsel
- Defense Counsel
- Ministry of Children and Family Development
- Community Corrections
- RCMP in Hazelton, Smithers, Houston and Burns Lake
- First Nations from Hazelton, Smithers, Houston and Burns Lake
- Community Reps (with Victim Services & Men's Treatment backgrounds) from Hazelton, Smithers, Houston & Burns Lake
- A member at large who is a First Nations Defense lawyer

The Steering Committee is the decision making body that will oversee the Domestic Violence Court project throughout its development and during its use.

The Judge, RCMP, Crown Counsel, and Ministry of Children and Family Development all have their main offices in Smithers, but serve all four communities.



- **Local Steering Committee Structure**

Each community - Hazelton, Smithers, Houston and Burns Lake - has a local steering committee comprised of representatives from various stakeholder agencies. These committees channel community feedback upward to, plus receive information back from, the regional BVLVD DVC Steering Committee that will oversee the development and maintenance of the Domestic Violence Court in each community. Each community is a different size and demographic, and has different resources available to it.

- **Proposed Case Management Committee Structure**

The Case Management Committee is yet to be clarified, but we envision that it would be comprised of the stakeholders who are involved with each Domestic Violence Court file. This could include:

- Community Corrections
- Crown Counsel
- Defense Counsel
- Men's Treatment Facilitators
- Victim Services

This group would meet regularly to discuss the case. They make recommendations on the accused's eligibility for treatment, any applications to Vary Bail, progress during treatment, and monitoring during the sentence period.

- **Critical Components to an Effective Justice Response to Domestic Violence - Values and Principles:**

1. Victim and Child Safety
2. Keeping Victim Informed
3. Offender Accountability
4. Information Sharing and Informed Decision Making
5. Coordination of Procedures and Services
6. Training and Education
7. Judicial Leadership
8. Effective Use of the Justice System
9. Accountability of Courts and Programs
10. Sensitivity to First Nations

Based on the Keeping Women Safe report of April 2008, the committee feels that is important to adopt the framework suggested for an effective, specialized response to domestic violence and therefore our process must include effective, inclusive approaches to:

1. Managing risk and victim safety – including a comprehensive, coordinated approach to risk and safety assessment and victim safety planning
2. Offender accountability – including appropriate and consistent sentencing, consistent enforcement of protection orders, and accessible treatment for abusers



3. Specialized victim support – including comprehensive, proactive, and timely support with outreach and access for marginalized groups
4. Information-sharing – including consistent, timely information-sharing between agencies and with the victim, with particular emphasis on high-risk cases
5. Coordination – including coordination and collaboration at all levels among all relevant sectors, senior level leadership, and resources to adequately support a coordinated approach
6. Domestic violence policy – including adherence to a comprehensive justice system policy that applies to all justice system components and requires a consistent and informed approach to charging, prosecution, and offender accountability
7. Use of specialized expertise – including specialized approaches such as dedicated justice system personnel and dedicated court time, adequately funded specialized training, and if they are considered an option, a carefully considered and principled approach to domestic violence courts, and special First Nations Therapeutic and social interventions
8. Monitoring and evaluation – including monitoring and evaluation as an integral part of all the foregoing critical components and a systematic, comprehensive approach to collection, analysis, and publication of statistics across all justice system components.

- **Roles of Committee Members**

Judge – still being developed.

RCMP

- Investigate occurrences and gather evidence.
- Ensure thorough investigation and preparation of cases.
- Lay charge(s) where the officer has reasonable grounds to believe an offence has been committed.
- Decide whether to release (with or without conditions) or to hold for bail hearing before justice.
- Provide all information to the Crown Attorney for prosecution of charge(s) from the bail hearing to sentencing.
- Notify witnesses when to attend court.
- Testify at court hearings.

- Provide assistance to victims of domestic violence based on the police service's local procedures.
- Refer victims to services.
- Implement enhanced investigative procedures for evidence gathering and interviewing.
- Follow the guidelines on domestic violence occurrences on:
 - Communications and dispatch.
 - Initial response.
 - Follow up.
 - Mandatory charge policies.
 - Linkages to procedures on bail.
 - Criminal harassment and firearms.
 - The use of the Domestic Violence Supplementary Report Form.
 - Children at risk.
 - High risk and repeat offenders.
 - Occurrences involving members of the police service.
 - Victim assistance.
 - Monitoring and supervision.
 - Ministry accredited training.

Role regarding the Domestic Violence Court Steering Committee

- Participate on the local Domestic Violence Court Advisory Committee, using it as the forum in which to raise and to discuss issues of implementation and the operation of the domestic violence court program. This will serve to better coordinate services to victims and keep community partners informed.
- Maintain open dialogue with community agencies to build mutual understanding.
- Exchange relevant information with members of the Domestic Violence Court Advisory Committee as it relates to victims of domestic violence and victim safety (subject to confidentiality restrictions).

Crown

- Prepare and prosecute domestic violence cases effectively using all available and relevant evidence.
- Jointly responsible with the Victim/Witness Assistance Program and other justice stakeholders for implementing the domestic violence court process.
- Work with and advise police on issues of investigation and evidence gathering for the prosecution of domestic violence cases.



- Inform and seek input from victims on matters relating to the prosecution.
- Prepare victims and witnesses for court.
- Implement a Crown case management system that covers all criminal cases to ensure that all domestic violence cases are included in the specialized process. Bilingual cases should be flagged as such to ensure no process delays or service delivery gaps occur.
- Institute an early intervention process for dealing with early guilty pleas, including a process for dealing with breaches in a timely and responsive manner.
- Institute a coordinated prosecution process for dealing with other domestic violence cases that proceed to trial or result in a plea.

Role regarding the Domestic Violence Court Steering Committee

- Participate on the local Domestic Violence Court Advisory Committee, using it as the forum in which to raise and to discuss issues of implementation and the operation of the domestic violence court program. This will serve to better coordinate services to victims and keep community partners informed.
- Maintain open dialogue with community agencies to build mutual understanding.
- Exchange relevant information with members of the Domestic Violence Court Advisory Committee as it relates to victims of domestic violence and victim safety (subject to confidentiality restrictions).

Defense Counsel – still being developed.

Community Corrections and Probation

- Assess the offender's suitability for community supervision
- Prepare court ordered and pre-parole reports, and make recommendations for conditions that will assist in the supervision and address issues contributing to the offender's criminal behaviour.
- Supervise probationers, parolees and conditional sentence offenders in the community.
- Enforce probation/conditional sentence orders and parole certificates

- Immediately advise the police and the Parole Board (if applicable) of new allegations of abuse by the offender.
- Attend court as requested.
- Contact victims to:
 - explain the role of the probation and parole officer in supervising the victim’s partner and in enforcing the conditions of any court orders/parole certificates;
 - receive information about the offender to assist in supervision;
 - explain the limits to confidentiality of information a victim provides; and
 - refer the victim to support services in the community.
- Liaise with service providers, community correctional stakeholders, justice partners and the public.

Role regarding the Domestic Violence Court Steering Committees

- Participate on the local Domestic Violence Court Advisory Committee, using it as the forum in which to raise and to discuss issues of implementation and the operation of the domestic violence court program. This will serve to better coordinate services to victims and keep community partners informed.
- Maintain open dialogue with community agencies to build mutual understanding.
- In some communities French language resources may be scarce, so an effort should be made to identify them for future reference.
- Exchange relevant information with members of the Domestic Violence Court Steering Committee as it relates to victims of domestic violence and victim safety (subject to confidentiality restrictions).

Please Note

- The probation and parole officer cannot release information about the offender’s progress or participation in programming.
- Probation and parole officers do not normally have a role in the early intervention model unless the offender is already on supervision or is subsequently sentenced to a period of probation.
- Victims who provide information to probation officers are cautioned that the information and its source may be disclosed to the offender under the Freedom of Information and Protection of Privacy Act. If the victim is apprehensive about this potential for disclosure, the officer will designate the information as confidential which provides a much greater probability, although no guarantee, that it will not be disclosed at a later date through a Freedom of Information request.
- Information that can be provided to the victim about an adult offender



includes:

- Whether or not the offender is in custody.
- Whether or not the offender is on probation, parole order or conditional sentence.
- The parole eligibility date.
- Standard conditions of the probation or conditional sentence order, or parole certificate.
- Whether parole has been suspended or revoked.
- Additional conditions which specifically name the victim (e.g., nonassociation).
- The general geographic area of release from custody.

Victim/Witness Assistance Programs

- Establish early contact with victims and provide information, assistance and support to victims of crime throughout the criminal justice process in order to improve their understanding of, and participation in, the criminal justice process.
- Make reasonable efforts to contact the victim by telephone as soon as possible following the arrest of the accused, recognizing the need for sensitivity with regard to issues of confidentiality and the victim's safety.
- Discuss safety issues with victims, address their immediate safety concerns and make a safety plan.
- Discuss with victims their concerns, issues and needs so that appropriate services are offered by the Program and appropriate referrals are made to resources in the community.
- Where required, arrange for a cultural interpreter and address any special needs of victim (eg. physical and/or intellectual disabilities).
- Advise the Domestic Violence Crown Attorney of relevant victim issues, concerns and input at various stages (for example bail hearings, bail reviews, bail variations, guilty pleas and sentencing hearings).
- Act as a liaison between victims and criminal justice system stakeholders (Crown, Police, Probation & Parole Officers). Maintain regular and open communication with justice stakeholders.
- Advocate on behalf of the victim with the Crown attorney and police within the limits of Ministry of the Attorney General policies.
- Refer the victim to the Investigating Officer or a Domestic Violence Crown attorney for inquiries regarding evidence.



- Provide general information to victims about the criminal justice system, services available to them as well as specific information about the status of their case.
- Familiarize victims with their role in the court process through orientation to the court process, preparation for court appearance and tour of the courtroom.
- Make every attempt to ensure that a safe and comfortable place is available to victims while they wait to testify.
- Where possible, accompany victims to interview with the Crown Attorney and/or to the trial.
- Coordinate with police and the Crown attorney to create a system to notify victims of the outcome of a bail hearing, guilty plea, trial, etc.

Role Regarding the Domestic Violence Court Steering Committee

- Participate on the local Domestic Violence Court Advisory Committee, using it as the forum in which to raise and to discuss issues of implementation and the operation of the domestic violence court program. This will serve to better coordinate services to victims and keep community partners informed.
- Maintain open dialogue with community agencies to build mutual understanding.
- Exchange relevant information with members of the Domestic Violence Court Steering Committee as it relates to victims of domestic violence and victim safety (subject to confidentiality restrictions).

Please Note

- Victim/Witness Assistance Program staff do not discuss evidence with victims/witnesses. Victims/witnesses who wish to discuss their evidence will be referred to the police or to the Crown Attorney.

Ministry for Children and Family Development – still being developed.

Court Services

- Provide court services input and support to the Crown Attorney's Office and the Victim/Witness Assistance Program in the development of domestic violence court processes.
- Provide support to the judiciary in the administration of the courts.
- Provide administrative services relating to court cases, including:
 - Preparing, processing and storing court documents, exhibits and transcripts.



- Tracking case status and outcomes.
 - Preparing court orders for judicial officer's signature.
 - Scheduling case hearings under the direction of the judiciary.
 - Providing court facilities and courtroom staff, including court interpreters.
 - Properly identifying and processing bilingual cases.
- Provide copies of court orders and recognizance/conditions of release to Victim/Witness Assistance Program staff at the earliest opportunity for conveyance to victims.
 - Facilitate the exchange of information for the Bail Program through protocols and procedures.
 - Share relevant information on court procedures and specific facility needs with justice partners.

Role regarding the Domestic Violence Court Steering Committee

- Participate on the local Domestic Violence Court Advisory Committee, using it as the forum in which to raise and to discuss issues of implementation and the operation of the domestic violence court program.

Please Note

- The DVC program does not require additional courtrooms to be created; however, a reconfiguration of the court scheduling to permit consolidation of domestic violence-related cases on the court plan is recommended. Judicial consent is required for any changes in this regard.

Partner Assault Response Program

- Partner Assault Response program associated with a Domestic Violence Court program are funded and administered by the Ministry of the Attorney General and are delivered by a community-based agency. First Nations programs such as Unlocking Aboriginal Justice will complement the PAR program.
- Provide specialized counselling/educational intervention programs for people who have abused their partners.
- Provide clients with an opportunity to examine the beliefs and attitudes that they have used to justify the abuse, to learn non-abusive ways of resolving conflict, and challenge clients to develop expectations about their relationships that are based on respect, autonomy and equality.
- Maintain contact with the partner while the client is in the program to improve the victim's safety by providing outreach and support, assistance with safety planning, referrals to other community resources, and



information about the Partner Assault Response program, including feedback on the offender's compliance with the program.

- Maintain links with criminal justice partners while the client is in the program. This includes informing probation officers and/or the court of missed appointments, providing ongoing information on the client's status with the program, and being available as a witness if a client is breached for non-completion of the program.

Role regarding the Domestic Violence Court Steering Committee

- Participate on the local Domestic Violence Court Advisory Committee, using it as the forum in which to raise and to discuss issues of implementation and the operation of the domestic violence court program. This will serve to better coordinate services to victims and keep community partners informed.
- Maintain open dialogue with community agencies to build mutual understanding.
- Exchange relevant information with members of the Domestic Violence Court Advisory Committee as it relates to victims of domestic violence and victim safety (subject to confidentiality restrictions).

Please Note

- Satisfactory completion of a PAR program is based on attendance at a minimum of 17 sessions, full, active participation in the program, and completion of all homework assignments. It should be noted however, that a positive response while participating in group sessions may, or may not, correspond with behaviour demonstrated toward partners or former partners outside of the group sessions.
- Systemic accountability is demonstrated when participants that do not participate fully in the program are reported to the probation officer in the coordinated prosecution process (Fail to Comply probation) and to the Crown/police in the early intervention process (Fail to Comply recognizance). Thus, offenders are held accountable and face systemic consequences for violating court orders or for failing to follow the rules of the program.
- Programs cannot state with any certainty that a client has accepted responsibility and will never be abusive again. PAR program staff explain this limitation to the partner and the community at large, so as not to foster any unrealistic expectations concerning the outcome of participation by an offender in a PAR program.
- PAR programs are not anger management programs. Abusive partners use violence to exert power and control over their victims. The control can take many forms, including psychological, financial and physical, and the



abuse can be both verbal and physical. Anger management programs do not address the purposeful exercise of power and control over victims. As well, anger management programs do not contact and provide outreach to the victim, which is an integral part to the domestic violence court PAR programming.

- As with all counselling, success depends on the motivation of the individual offender to accept responsibility. Additionally, the success of any intervention with abusers depends not only on the PAR program, but on a coordinated criminal justice and community response in which all partners work together to enhance victim safety and increase offender accountability.
- The PAR program requires, at a minimum, a copy of the bail conditions and a copy of the police occurrence report for all offenders referred through the early intervention process. Clear protocols must be established specifying who is responsible for providing this information.
- The PAR program requires a copy of the police occurrence report, a copy of the probation order and a copy of the probation RIF (Referral Intake Form) for every client referred through the Coordinated Prosecution stream. Ideally, this information should be provided before the intake/assessment interview.
- When a client is discharged from the PAR program prior to completion, the appropriate criminal justice partner should inform PAR program staff what enforcement action was taken as a result of the client's failure to complete the program.

Local Steering Committees

- Provide feedback on services and request modifications in services to better monitor services and meet local needs.
- Sponsor local meetings
- Provide education in the community around the topic of domestic violence

Role regarding the Domestic Violence Court Steering Committee

- Represent local community members, user groups and service agencies on the BVL DVC Steering Committee
- Note: The role of these local committees is important to reflect the non-governmental position while reflecting the specific needs of the individual communities.

Protocols

The following protocols have been identified as necessary to a smooth running Domestic Violence Court process. The status of their development is noted below.

- RCMP Protocol – being drafted
- Crown Counsel Protocol – being drafted
- Judges and Courts – being drafted
- Community Corrections Protocol – being drafted
- Ministry of Children and Family Development – being drafted
- Spousal Abuse Program Protocol – draft attached
- Victim Services Protocol – attached
- Varying Protective Conditions Protocol – attached
- Community Involvement Protocols (including Local Steering Committees and Wet'suwet'en and Gitxsan Unlocking Aboriginal Justice) – being drafted