



YORK REGION VIOLENCE AGAINST WOMEN COORDINATING COMMITTEE

York Region Woman Abuse Protocol: Best Practice Guidelines

A Collaborative Effort to Respond to the Needs of Abused Women

October 2006

Table of Contents

Dedication	
Acknowledgements	
Preface	
Statement of Principles and Signatories	

CHAPTER 1 – An Introduction to the Issue of Woman Abuse

1.1	Defining Woman Abuse	1
1.2	Incidence, Prevalence and Severity	3
1.3	The Dynamics of Woman Abuse: Issues of Power and Control	7
1.4	Indicators of Abuse	9
1.5	Some Indicators Characteristic of the Abuser	11
1.6	Possible Health Effects on Women	12
1.7	Barriers to Leaving an Abusive Relationship	13
1.8	Collaboration Between CAS and VAW Services	15
1.9	Children Exposed to Woman Abuse and the Duty to Report	20
1.10	Impact on Children Witnessing Abuse	22

CHAPTER 2 – The Woman Abuse Response Protocol

2.1	York Region’s Response to Woman Abuse: A Conceptual Model	24
2.2	General Intervention Best Practices	26
2.3	Customer Service Best Practice Guidelines	28
2.4	Understanding Risk and Assessing a Woman’s Safety	29
2.5	Best Practice Guidelines for Making Referrals	31
2.6	Accountability and Problem Resolution	32
2.7	Woman’s Factual Data Log	33

CHAPTER 3 – Working with York Region’s Diverse Communities

3.1	York Region’s Diversity	35
3.2	Issues for Various Populations	39

CHAPTER 4 – Agency Profiles

47

Health Services	48
Domestic Abuse and Sexual Assault Care Centre, York Central Hospital	
York Region Health Services	
Justice	55
Victim Services of York Region	
Victim / Witness Assistance Program	

York Region Crown Attorney's Office
York Regional Police

Shelters	68
Sandgate Women's Shelter of Georgina	
Transitional and Supportive Housing Services of York Region	
Yellow Brick House Project Hostel	
Community, Counselling and Support Services.....	75
AIDS Committee of York Region	
Addiction Services for York Region	
COSTI Family and Mental Health Services	
Family Services of York Region	
Jewish Family and Child Services	
Lance Krasman Memorial Centre for Community Mental Health	
Social Services Network of York Region	
Women's Centre of York Region	
Woman's Support Network of York Region	
York Region Abuse Program	
York Support Services Network	
Services for Youth and Children	101
York Catholic District School Board	
York Region Children's Aid Society	
Language Services.....	107
Multilingual Community Interpreter Services	
Educational Services.....	110
York Region LGBT Community Outreach Project	

Appendix A – Woman's Factual Data Log

Appendix B – Guide for Professionals Who Suspect Woman Abuse

Appendix C – Sector Responses

Appendix D – Glossary of Terms

Appendix E – Safety Plan Information

Appendix F – The Child and Family Services Act: Grounds for Reporting

Evaluation Form

Dedication

*This protocol is dedicated to the many women,
their children, families and friends
who have endured, suffered,
or have been lost at the hands of violence.*

*Your courage serves to strengthen us
in our journey to abolish
violence against women.*

**Women Abuse Protocol Working Group
(2006)**

The York Region Violence Against Women Coordinating Committee wishes to thank the following members for their time and attention to the redevelopment of this protocol.

Their expertise, experience and guidance were invaluable to this project.

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York Region Violence Against Women Coordinating Committee
October 2006

Preface

The York Region Violence Against Women Coordinating Committee (YRVAWCC) was established in 1997 in response to the McGuire Report. It is a collaborative effort of 15 social service providers, two health care service providers, the Regional Police, the Crown Attorney's Office and a Board of Education.

Our mission is to develop and implement a coordinated plan for a comprehensive community-based service system. We also endeavour to contribute to the overall effort to eradicate violence against all women and their children through a leadership role in advocacy, education, and social action principles. Working together, with a common set of principles, will increase the likelihood that when woman abuse survivors seek services in York Region, they will obtain the help they need.

The YRVAWCC endeavours to promote and encourage a response to the issue of woman abuse that is consistent and coordinated. The *York Region Woman Abuse Protocol: Best Practice Guidelines* is designed to encourage consistent practices and promote collaboration between York Region agencies in their response to woman abuse.

This protocol provides agencies with best practice guidelines in an effort to help them enhance services for abused women in York Region. It represents the on-going commitment in York Region to develop a coordinated set of transparent procedures for organizations that provide services to address woman abuse. It recognizes that no single organization completely addresses the issue of woman abuse and that abused women often require the assistance of a variety of services across different sectors.

The YRVAWCC originally developed the Woman Abuse Protocol (WAP) in 1998. In 2002-03 the protocol was revised, signed-off by member agencies and extensive training of frontline staff in the use of the protocol took place. In 2005 it became apparent that the revised WAP was not being widely used by service providers.

This revision was intended to make the document more user-friendly and to provide more relevant information to those who provide services to women experiencing abuse.

This revised protocol provides a framework for all agencies serving abused women and includes:

- A shared definition of violence against women;
- A set of principles to guide the development and implementation of policies and programs within agencies;
- An overview of the issue of woman abuse, including incidence and prevalence, indicators of abuse, possible health effects, and the impact on children;
- A protocol for responding to women experiencing abuse; and
- Information to assist agencies in working with diverse populations.

This document also includes profiles of agencies that provide services to women experiencing abuse in York Region. This information is intended to assist service providers in making appropriate referrals and in guiding women in need of assistance to the appropriate agency.

An additional change has been to the sign-off to the protocol. The signatories to the previous protocols signed-off on the entire document. Consequently, sign-off was again required when changes were made to any part of the document. In this protocol signatories have signed-off on the Statement of Principles, agreeing to a set of principles that will guide their delivery of services to women experiencing abuse. Any changes to other parts of the document will be overseen by a Protocol Working Group, and will not require the sign-off by all members of the YRVAWCC.

It is hoped that these changes to the protocol will enable it to be a document which is used by both frontline, program staff and managers to ensure effective delivery of services to women experiencing abuse.

While not all organization have the policies and procedures in place at this point to support all the principles and best practices outlined in this report, it is hoped that this document will guide them to develop the organizational supports needed to effectively deliver services to women experiencing abuse.

Acknowledgements

A project of this magnitude and complexity is always a product of the talent, dedication and hard work of a number of people. This protocol and its predecessors are the result of a collaborative effort of many dedicated people who are committed to the ongoing development of this document.

The Woman Abuse Protocol Working Group (2006) gratefully acknowledges the work of the Woman Abuse Protocol Committees that developed and reviewed the protocol in 1998 and 2002. The Working Group also acknowledges the input of the current members of the York Region Violence Against Women Coordinating Committee who provided their input into the redevelopment of this protocol.

The Working Group also wishes to thank the Peel Committee Against Woman Abuse for generously allowing the use of information from *The Region of Peel Women Abuse Protocol: Best Practice Guidelines*.

We also gratefully acknowledge the financial assistance provided by SCPI and the Ontario Trillium Foundation for the development of the protocol (1998 and 2002) and the Ontario Ministry of Community and Social Services for their current financial support (beginning in 2006) for the redevelopment of the protocol and implementation through training in the community.

Statement of Principles and Signatories

We, the following agencies, have participated in the development of the *York Region Woman Abuse Protocol: Best Practice Guidelines (2006)* and hereby affirm our commitment and accountability to the implementation of this protocol across York Region.

We recognize that an effective and comprehensive response requires a shared philosophy and coordinated strategy among those who work with women experiencing abuse and violence.

We recognize that historically, there has been an overwhelming silence about women abuse in certain communities, particularly around same sex partner abuse. We are committed to breaking that silence and acknowledging the existence of woman abuse in all communities. The use of the word “woman” is intended to speak to all women, including those who identify as lesbian, bisexual and transgender, as well as heterosexual women from all social, economic, racial, ethnic and religious backgrounds and all abilities.

We therefore agree to the following principles to guide our delivery of services to women experiencing abuse:

1. All forms of violence against women are unacceptable and must not be tolerated.
2. Many forms of violence against women are crimes and where reasonable grounds exist, police should lay charges against the abuser. Legal sanctions should be pursued and enforced consistently and vigorously.
3. All women can be victims of abuse, regardless of their age, social, economic, racial, ethnic or religious group, sexual orientation or physical and developmental ability.
4. A holistic and systematic approach that includes, but is not limited to, policy reform, community development, education, advocacy, social action, and other preventive measures provides the basis for ending all forms of violence against women and their destructive consequences.
5. Abused women are never responsible for the abuser’s behaviour.
6. Woman abuse undermines the mental and physical well-being of women and their children.
7. Women and their children have the right to be safe and live without fear of violence.
8. The safety and ongoing protection of women and children who have experienced or are experiencing domestic violence are paramount considerations in any response.

9. The many forms of violence against women need to be understood in the context of unequal power relations. Abusers act out of a need to control and maintain power over the abused women.
10. The dynamics of an abusive relationship make it difficult for the abused woman to end the relationship.
11. A coordinated response to woman abuse must provide equitable access to services regardless of a woman's age, socio-economic status, race, culture, language, religion, ability or sexual orientation.
12. The response to women who have been subjected to violence should take into account the diverse needs and interests of women. Women and children must have access to linguistically sensitive, culturally appropriate and accountable services.
13. Violence against women is a serious societal problem that negatively affects the health, well-being and development of women, children, families and the community. This fact must be acknowledged by all members of society.
14. Services must be provided in ways that facilitate a woman's ability to exercise informed choices and enable her to be a full participant in the process. Information and support to victims should be provided in such a way as to facilitate and empower the victim.
15. Women of all ages who have been subjected to violence have the right to services and resources that are appropriate, ensure her safety, meet her material and financial needs and provide her with emotional support.
16. All staff are responsible for providing high quality and compassionate care to all victims of woman abuse. Staff will take responsibility for the services they provide and will emotionally and physically support abused women.

We are dedicated to assisting all abused women sensitively with the goal of empowering them to make the best choices for themselves and their children. In order to do this, it is important for us as professionals to have an understanding of the complexity of woman abuse.

In the development and implementation of policies and programs to address violence against women, we agree to be guided by these principles. We will endeavour to ensure that our services to abused women will be guided by policies, procedures, programs and training in accordance with these principles.

Dated October 31, 2006

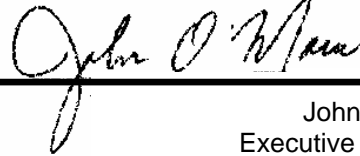
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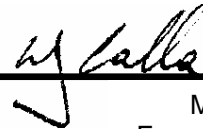
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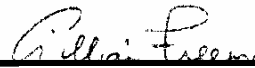
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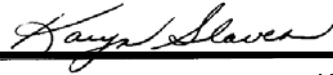
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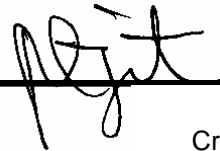
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Chapter **1**

An Introduction to the Issue of Woman Abuse

1.1 Defining Woman Abuse¹

Why focus on violence against women?

Woman abuse is a serious and widespread social problem. While domestic violence can happen to either men or women, with either men or women as the abuser, this protocol focuses on sexual, domestic and family violence in which women are the victims – referred to as woman abuse. This reflects the prevalence of this type of abuse in society – most domestic violence involves male anger directed against their female partners.

Taking a generic approach to domestic violence, without regard for the gender of the victim, may contribute to the development of general programs that address violence, but these programs may fail to adequately address the needs of women. A gender-based analysis of the issue of domestic violence allows organizations to identify and address the specific needs of women.

A further analysis, for example by race, age, sexual orientation, ethnicity, socioeconomic status or ability, allows for the understanding of the needs of different groups of women.

Defining women abuse

The United Nations' 1993 *Declaration on the Elimination of Violence Against Women*, which was signed by Canada, provides a broad definition of woman abuse, which has been accepted by the international community:

any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Using this definition as a point of departure, woman abuse is defined here as including but not restricted to the following forms, by someone with whom the woman has or has had an intimate, familial or romantic relationship:

- Physical abuse;
- Psychological and emotional abuse;
- Stalking and harassment;
- Forced social isolation;
- Rape, sexual assault, sexual harassment and other forms of sexual violence;
- Financial abuse;
- Spiritual abuse;
- Intimidation and threats; and/or
- Threats of such abuse directed at a woman by a person known to her in an attempt to control her.

¹ Information is drawn from the following:

Woman Abuse. National Clearinghouse on Family Violence. Health Canada. October 2001 (Revised).
The Region of Peel Woman Abuse Protocol: Best Practice Guidelines. Peel Committee Against Woman Abuse. June 2005.

Within this definition, control refers to an attempt on the abuser's part to force a woman to comply with anything against her wishes.

Woman abuse occurs regardless of socio-economic status, age, sexual orientation, occupation, mental health status, citizenship status, ability, spiritual practices, language, race, culture or ethnicity.

Abuse may involve repeated episodes with increasing severity. It may also be a one-time occurrence causing physical or emotional injury that is detrimental to the woman's well-being or that of her family. It is also recognized that while violence against women is perpetrated primarily by men, in our society women can also be perpetrators of violence against women. This protocol acknowledges that a perpetrator of woman abuse may be male or female.

An abused woman is any woman aged 16 and over. Females under the age of 16 are children and should be dealt with in accordance with the *Child Protection and Assault Protocol 2001*, published by the Child Abuse Systems Team (CAST).

Types of women abuse

Specific types of woman abuse includes the following:

Physical abuse includes bodily harm, discomfort or injury caused by hitting, punching, kicking, slapping, pushing, burning, biting, spitting, dragging, pulling, using weapons and objects, restraining, confining, stalking and/or the withholding of food and/or medical attention.

Psychological and emotional abuse is any act that provokes fear, diminishes the woman's dignity or sense of self-worth, and/or intentionally inflicts psychological trauma as a means of exerting power and control over the woman. These may include, but are not limited to, on-going criticism, intimidation, humiliation, overly sarcastic comments, passive/aggressive control, harassment, threats to harm self or others, threats to harm pets, threats associated with immigration status, threats to take children away, inappropriate expressions of jealousy, brainwashing, dominance, degradation, possessiveness, control over daily activities, social isolation, purposeful destruction of property and use of privilege in society to threaten or coerce.

Stalking and harassment includes behaviour which, in some cases, are against the law and known as "criminal harassment." One of the key elements, which turn stalking behaviour into a crime, is the woman's fear for her own safety or the safety of others. Stalking and harassment can take many different forms but usually is a pattern formed by repeated actions, or a series of different incidents. Each small incident may not seem important, but all the incidents together constitute a pattern. There is no complete list of stalking behaviour as these behaviours are added to from experience. (Contact METRAC for further information. See Chapter 4 for contact information.)

Sexual abuse includes any unwanted or forced sexual activity, including touching and intercourse. It also includes the possibility of exposure to sexual transmitted diseases and/or pregnancy by denying the use of protection during intercourse, and forced exposure to or participation in pornography or prostitution. It also includes withholding sex and demeaning women sexually through jokes, and sexual accusations.

Financial abuse includes controlling or restricting money to buy necessities such as medicine, medical supplies, food and clothing. It also includes withholding information about household financial matters, denying access to bank accounts and coercion to sign financial documents. Financial abuse can also include denying the right to seek and/or maintain employment, taking personal money, denying independent access to money, and/or excluding the woman from financial decision-making.

Spiritual abuse includes degrading the woman's spiritual beliefs, withholding the means to practice, and/or forcing adherence to a particular belief system.

1.2 Incidence, Prevalence and Severity

Violence against women is a prevalent and well-documented social problem in Canada.

This data and the findings of various research studies assist us in understanding the prevalence and trends in violence against women in Canada:

- 7% of women (or 653,000 women) who were living in a common-law or marital relationship reported to Statistics Canada's 2004 General Social Survey (GSS) that they had been physically or sexually assaulted by their spousal partner during the previous five years. This represents a small drop from 8% in 1999. (Statistics Canada, 2005)
- Women are more at risk of violence from a man they know than from a stranger. According to the Canadian Crime Statistics, 2000 report by Statistics Canada, male against female violence was the most common type of overall violence but the least likely to involve a stranger. In 77% of reported cases, the women knew their assailant. In 29% of the reported cases, the woman was assaulted by her spouse/ex-spouse. (Statistics Canada, 2000)
- A comparison of the GSS data over several years indicates a decline in the in the percentage of women subjected to the most severe physical assaults by their partners, including being beaten, choked, threatened with a gun or knife, or sexually assaulted, from 50% of all victims in 1993 to 39% in 2004. (Statistics Canada, 2006)
- According to the Violence Against Women Survey (VAWS), 29% of ever married women have been assaulted by their partners at least once. (Statistics Canada 1993, p 4)
- However, the apparent decline in prevalence and severity is not reflected in the use of shelters for abused women. The demand for shelters continues to exceed availability. On average, 200 women are turned away from shelters across the country each day. (Statistics Canada, 2006)
- Only 36% of woman abuse victims in 2004 had reported the spousal violence to police. (Statistics Canada, 2005)
- Current and former husbands make up the largest proportion of abusers recorded by the police. The number in this group has been declining since 2001, while the number of current and former boyfriends has been on the increase. (Statistics Canada, 2006)

- One in five homicides in Canada involves the killing of an intimate partner. In 41% of the killing of men, where there was sufficient information, the police determined that the woman was acting in self-defence. This was the case in only 5% of the spousal killing of women. (Johnson and Hotton, 2003)
- In the majority of spousal homicides, there is a history of abuse in the relationship. Between 1991 and 2004, there was a history of woman abuse in 59% of homicides in which women were killed by their male partners. (Statistics Canada, Canadian Centre for Social Justice Statistics, Homicide Survey)
- In 1996, in 56% of all spousal homicides, investigating officers had knowledge of previous domestic violence between victims and suspects. (Bunge and Levett 1998, p 32)
- Between 1979 and 1998, 1,468 women were killed by their husbands. (Statistics Canada, 2000)
- Thirty-five percent of all women interviewed in the Violence Against Women Survey who had ever been married or lived with a man in a common-law relationship had been subjected to some form of emotional abuse. This can include: verbal attacks, ridicule, isolation from family and friends, jealousy and unwarranted accusations about infidelity, possessiveness, damage to or destruction of property, torture or killing of pets, and threats to harm children or other family members. (Bunge and Levett 1998, p 15)
- In a Canada-wide snapshot taken on May 31, 1995, there were 2,361 women accompanied by 2,217 children living in shelters across the country. Four out of five women were there to escape an abusive situation, the majority from abuse by a current partner (64%) or ex-partner (21%). (Bunge and Levett 1998, p 18)
- In the twelve months prior to this snapshot 365 shelters across Canada recorded over 85,000 admissions. On a typical day, they receive approximately 3,000 requests from non-residents. (Bunge and Levett 1998, p 19)
- Rates of spousal violence were highest among certain segments of the population: those aged 15 to 24; those in relationships of three years or less; those who had separated; and those in common-law unions. (Statistics Canada, 2005)
- Rates of violence continue to be highest among young women. Women who are between 15 and 19 years of age are twice as likely as older women to be killed in a violent marriage. (Wilson and Daly 1994, p 10)
- Twelve percent of Canadian women aged 18-24 reported at least one incident of violence by an intimate partner in a one-year period, compared with the national average of 3% of all married or cohabiting women. (Bunge and Levett 1998, p 14)
- In 2004, half of the women who reported abused by a past partner indicated that the violence occurred after the couple separated. In one-third of these cases, the violence became more severe or began after the separation. (Statistics Canada, 2006)

- In half of the all ex-partner homicides against women between 1991 and 1999, the woman was killed within two months of leaving the relationship. (Hotton, 2001)
- Forty-two percent of women with disabilities have been or are in abusive relationships. (DisAbled Women's Network 1989)
- Data suggest that Aboriginal people are three times more likely to be victims of spousal violence. Overall, 21% of Aboriginal women said that they had suffered violence in 2004. This was the case for 7% of non-Aboriginal women. Aboriginal women were also more likely to report the most severe and life-threatening forms of violence. The rate of spousal homicide is eight times higher for Aboriginal women than for non-Aboriginal women. (Statistics Canada 2005)
- Very little data exist with respect to the extent or nature of violence in same-sex relationships. The 2004 GSS found that spousal violence was twice as high among homosexual couples than among heterosexual couples – 15% vs 7%, respectively.
- Among the spousal violence cases within same-sex couples, reported by a subset of police agencies over a 10-year period, 2.5% involved same-sex couples. (Ogrodnik, 2006)
- Women are very vulnerable when they are pregnant. The Violence Against Women Survey found that 21% of abused women were assaulted during pregnancy, and in 40% of these cases this was the beginning of the abuse.
- There has been an increase in the number of criminal harassment or stalking of women reported to police. In 2004, three-quarters of the victims of criminal harassment reported to police were women. In half of these cases, the woman was being stalked by a person with whom they've had an intimate relationship. (Statistics Canada, 2006)
- Intimate partner stalkers are found to be very dangerous. That is, stalkers are more likely to be violent with someone with whom they've had an intimate relationship. Stalking has been identified as one of the primary risk factors for attempted and actual murder of female partners. (McFarlane, et al, 2002)

Works cited:

Bhola, S. and T. Nelson. 1990. *Cross-Cultural Training Manual: Service Providers Training Manual*. Calgary: Calgary Immigrant Woman's Centre.

Bunge, V. P., and A. Levett. 2000. *Family Violence: A Statistical Profile*. Ottawa: Statistics Canada, Ministry of Industry.

Bunge, V. P., and A. Levett. 1998. *Family Violence: A Statistical Profile*. Ottawa: Statistics Canada, Ministry of Industry.

DisAbled Women's Network. 1989. *Breaking the Odds: Violence Against Women with DisAbilities*. Position Paper #2. Toronto: DAWN.

Dumont-Smith, C. and P. Sioui Labelle. 1991. Dragging Wife Abuse Out of the Closet. Cited in *National Family Violence Abuse Study/Evaluation*. Aboriginal Nurses of Canada.

Gurr, J., L. Mailloux, D. Kinnon and S. Doerage. 1999. *Breaking the Links Between Poverty and Violence Against Women: A Resource Guide*. Ottawa: Ministry of Health. Retrieved August 21, 2000 from the World Wide Web: <http://www.hc-sc.gc.ca/hppb/familyviolence/html/1breaking.htm>

Hotton, T. 2001. "Spousal violence after marital separation." *Juristat*, 21, 7. Catalogue No. 95-002-XPE. Ottawa: Statistics Canada.

Johnson, H. and T. Hotton. 2003. "Losing Control: Homicide risk in estranged and intact intimate relationships." *Homicide Studies*, 7(1): 58-84.

McDonald, S. 1999. Not in the Numbers: Immigrant Women and Domestic Abuse. *Canadian Woman Studies*. 19:3, 163-167.

McFarlane, J., J. Campbell, and K. Watson. 2002. "Intimate partner stalking and femicide: urgent implications for women's safety." *Behavioral Sciences and the Law*, 20: 51-68.

Ogrodnik, L. 2006. In *Family Violence in Canada: A Statistical Profile, 2006*. Catalogue no. 85-224-XIE. Ottawa: Statistics Canada.

Ontario Native Women's Association. 1989. *Breaking Free: A Proposal for Change to Aboriginal Family Violence*. Thunder Bay.

Statistics Canada.

– November 18, 1993. The Violence Against Women Survey. *The Daily*. Ottawa: Ministry of Industry.

– July 25, 2000. Family violence 1999. *The Daily*. Ottawa: Ministry of Industry.

– Canadian Crime Statistics, 2000,

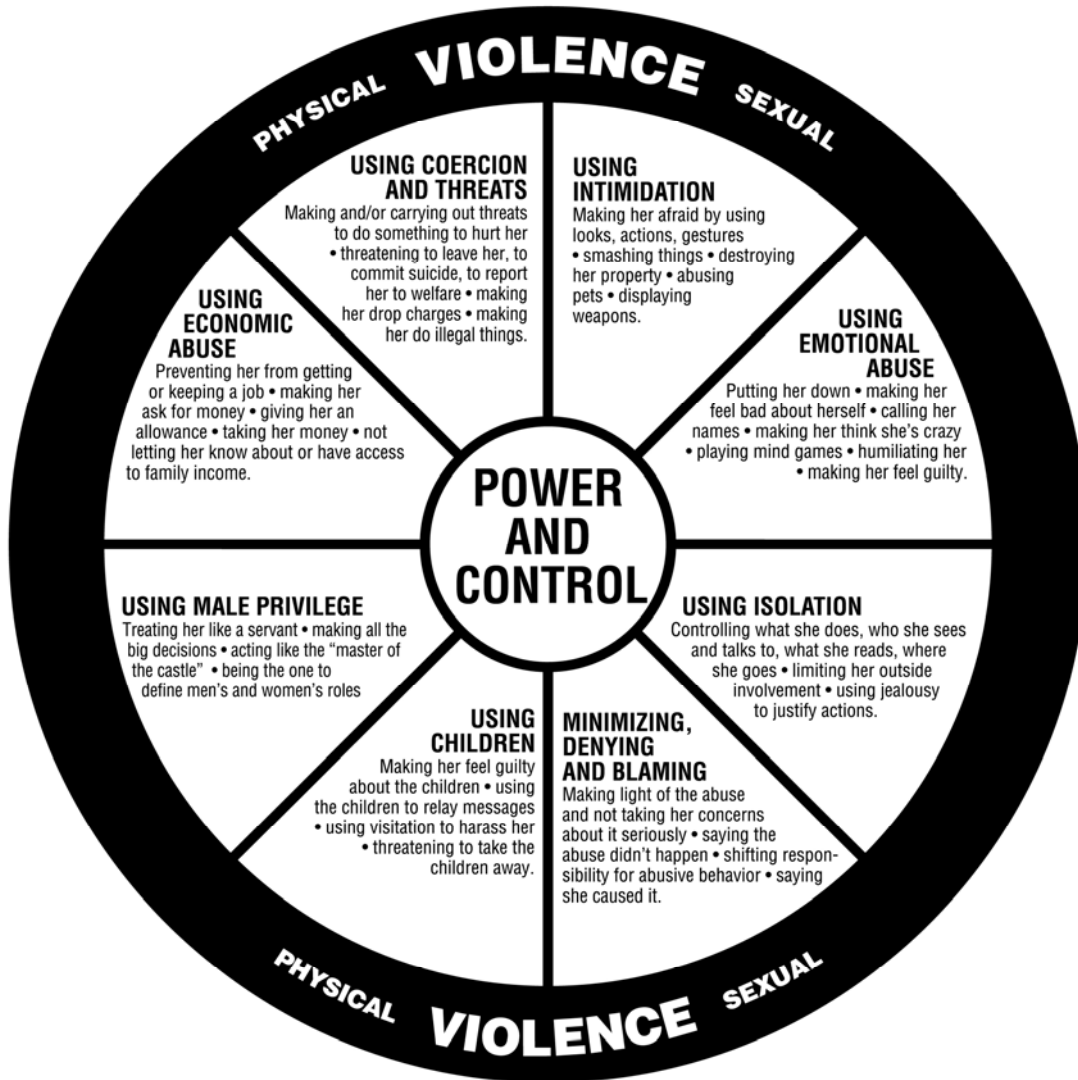
– July 14, 2005. Family violence in Canada: A statistical profile 2005. *The Daily*. Ottawa: Ministry of Industry.

– October 2006. *Violence Against Women: Statistical Trends*.

Wilson, M. and M. Daly. March 1994. Spousal Homicide. *Juristat Service Bulletin*. 14:8.

1.3 The Dynamics of Woman Abuse: Issues of Power and Control

Abuse is about power and control. It is the intentional and systematic use of tactics to establish and maintain power and control over the thoughts, beliefs and conduct of a woman. The tactics can include, but are not limited to the following:

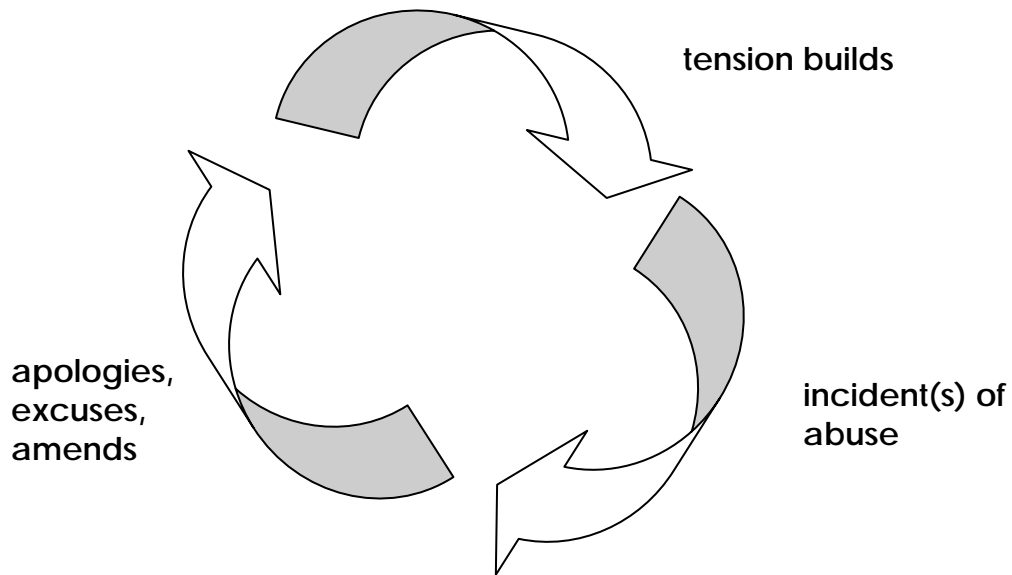


This model was developed by the Domestic Abuse Intervention Project www.duluth-model.org

A Lesbian/Gay Power & Control Wheel is available at the National Council on Domestic and Sexual Violence www.ncdsv.org

The Cycle of Abuse

Generally, battering does not occur constantly. Rather, it occurs in cycles. Abuse may be observed as a systematic pattern of behaviour. In many cases, abuse occurs in a repetitive sequence, often referred to as the “cycle of violence.” The cycle consists of three phases, the tension building phase, the phase in which abuse takes place, and the “honeymoon” phase where the abuser may exhibit kindness and loving behaviour.



Tension-building phase: During the tension-building phase, the abuser experiences a period of increasing stress and tension. This can build over a matter of hours, days or weeks, during which time the woman often tries to avoid an outburst by accommodating the demands of the abuser. Women may feel that they are “walking on eggshells.”

Incident(s) of abuse: When the pressure peaks, the abuser explodes, unleashing anger and rage, trying to control the situation through partner abuse. The “trigger” is rarely the woman’s behaviour, rather it could be an external stressor such as problems at work or a flat tire, or the internal state of the abuser.

Making-up phase: After the abusive incident, there may be a period of relief when the abuser offers apologies and promises to change. Both the abuser and the victim may want to believe that it won’t happen again.

This pattern occurs repeatedly over time. The duration between each phase varies between and within couples. The total cycle can take a few hours to a year or more to complete. But not all relationships fit this cycle. Often, the incidents of abuse become more frequent and severe, with shorter periods of relative calm.

1.4 Indicators of Abuse

Not all abusive relationships are the same - not all fit the cycle of violence; not all abuse results in physical injury; and not all women respond to abuse in the same way. However, all abuse can have devastating long-term consequences for women.

The following are some signs or indicators that may suggest that a woman is being or has been abused. While the presence of any one indicator is not conclusive proof of abuse, in most instances, abused women will exhibit a number of indicators.

Emotional and psychological indicators

The woman may:

- Seem timid, anxious, agitated, scared, exhausted, depressed or have a flat affect;
- Concede to the abuser to answer or make decisions on her behalf;
- Seem more concerned about the abuser's needs than her own needs or health concerns;
- Have heightened startle response;
- Have suicidal or homicidal thoughts;
- Report feeling isolated;
- Feel extremely angry; and/or
- Experience sleeplessness and/or nightmares.

Physical indicators

The woman may:

- Have visible injuries that may include, bruises, cuts, burns, black eyes, choke marks, bleeding injuries, chunks of hair pulled out, dental injuries;
- Have invisible injuries that include internal bleeding, punctured eardrums, fractures, sprains, pulled muscles, bruising, headaches, pain in the chest, stomach or pelvis, and old untreated injuries; and/or
- Minimize the seriousness of her injuries, or make excuses about how she received her injuries, such as blame herself for being clumsy or slipping down the stairs, or report being accident prone.

Sexual indicators

The woman may complain of:

- Unwanted touching;
- Recurring genital pain or infection;
- Sexually transmitted diseases;
- Forced, coerced, or non-consensual sexual activity; and/or
- Sex-trade work.

Financial indicators

The woman may:

- Indicate that the abuser controls all the money;
- Indicate that the abuser withholds money from her or gives her a strict allowance;
- Refuse to spend money without agreement of the abuser;
- Complain of non-disclosure of critical financial information (e.g. liabilities, investments, etc.);
- Report being coerced to assume financial liability; and/or
- Report not having access to independent financial advice.

Stalking or harassment

The woman may report being the victim of the following stalking behaviour:

- Receiving letters, e-mails, telephone calls;
- Receiving unwanted gifts;
- Mail being stolen;
- Being followed, watched or tracked;
- The abuser showing up uninvited;
- The abuser harassing her employer or colleagues;
- Her property being vandalized;
- Pets being harmed;
- Being physically or sexually assaulted;
- Being kidnapped or held against her will; and/or
- Receiving threats of harm herself or threats to her family and friends.

1.5 Some Indicators Characteristic of the Abuser

Woman abusers have many characteristics in common and may exhibit similar behaviours. These might include, but are not restricted to the following:

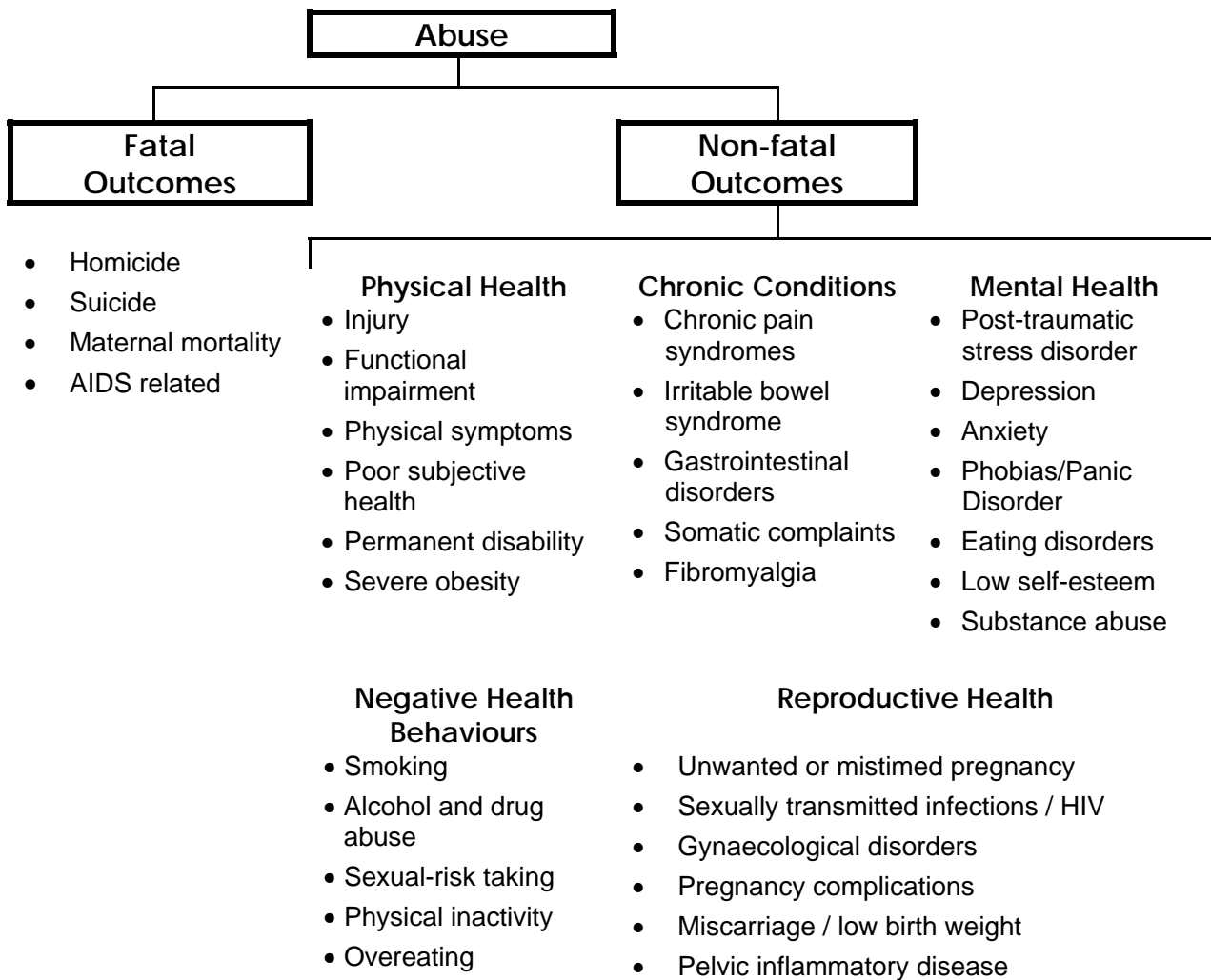
- Refuses to separate from the woman, even for medical procedures;
- Tries to isolate the woman;
- Treats the woman or others forcefully, demanding information or action;
- Denies, minimizes, or rationalizes the abusive behaviour;
- Views the abusive behaviour as a justified response to anger, or as the only alternative response;
- Displays a “Jekyll and Hyde” personality;
- Acts overly attentive to the woman. The woman is unmoved by these gestures of affection, or does not appear to be comforted by them;
- Is absent despite the woman’s need for support;
- Controls actions and decisions of the woman;
- Denigrates the woman in front of others; and/or
- Manipulates the system to gain or maintain control over the woman, such as the mental health system, income security system, or when the police respond to a call.

1.6 Possible Health Effects on Women

Woman abuse is a pervasive public health problem in Canada and around the world. The effects of violence on women can be significant and long lasting for the woman, her children, family and social network.

Violence can result in serious physical injury and can sometimes lead to death. Not all violence results in physical injury, but can have other long-term emotional and psychological effects on the woman.

The following flow chart provides an overview of some of the most frequently cited health outcomes associated with woman abuse.



1.7 Barriers to Leaving an Abusive Relationship

Disclosing or leaving an abusive relationship is a difficult and lengthy process that is highly complex. Service providers must understand that women may be hesitant to disclose for a number of reasons and are confronted with many barriers when considering and attempting to leave an abusive relationship.

Some of these barriers may be:

Emotional attachment to the abuser: The woman may love the abuser and hope that the relationship will improve. She may therefore minimize or deny that the abuse is happening. She may also believe that she is at fault and is the one who needs to change.

Fear: Women can fear what the abuser will do if she leaves. She may fear retaliation by the abuser, fear losing her children, or fear that her family, friends, possessions and/or pets will be harmed.

Women can also fear the impact of “the system” if she leaves. She may fear discrimination, deportation, and lack of protection. She may fear the police and fear the involvement of immigration officials.

She may also fear other consequences, including being ostracized by her community, bringing shame to her family, and being vulnerable without male protection.

If her partner is a prominent member of the community or works in a well-respected profession, she may also fear that she may not be believed.

Inaccessibility of social services: She may have tried to leave in the past, only to find that there were waiting lists for counselling, shelters and other services.

Lack of access to adequate or affordable shelter and housing: The woman may not have anywhere to go with her children if she leaves the relationship. There may not be a shelter in her community, or the shelter may not have adequate space.

Language or cultural barriers: She may have difficulty finding and/or accessing services that are culturally and linguistically sensitive. She may have experienced prejudice, discrimination, or racism in past encounters with various institutions and agencies.

Where interpreters are available, they may be people from the same community as the woman, which may make her feel uncomfortable and may threaten confidentiality or her safety.

Older women with certain conditions such as Alzheimer’s, or women with disabilities may not be able to tell anyone that they have been abused.

Lack of information: She may be unaware of the support available in her community.

Financial obstacles: There may be financial obstacles to leaving the relationship and concern that she will be unable to provide for her children. She may be financially dependent on the abuser, and may have little or no income, and limited work experience, making it difficult for her to find employment.

Faith: She may have strong beliefs about keeping the relationship and family together. Separation or divorce may be contrary to her religious beliefs. She may also have concerns that her children will grow up without their father.

Helplessness: Abuse undermines a women's sense of self, her self-esteem and her self-confidence. She may know from past attempts at leaving that the abuser will search for her until she is found.

Family: Her family may pressure her to stay in the relationship. They may pressure her to work out the problems in the relationship and encourage her to believe that her partner will change.

Isolation: The abuser may have isolated her from family and friends. She may therefore have little support to leave the relationship. She may be surrounded by people who deny that the abuse is happening or who minimize it.

The woman may also live in a rural area, far from family, neighbours and social supports.

Fatigue: She may be too physically and emotionally exhausted to leave.

Hopelessness: Due to psychological conditioning and the ensuing belief that the abuse is her fault, leaving may not even occur to her as an option.

Shame and embarrassment: She may feel that she has brought the abuse on herself. She may feel ashamed of her abuser and of herself.

1.8 Collaboration Between CAS and VAW Services²

In 2004, the York Region Children's Aid Society entered into a collaborative agreement with five Violence Against Women agencies – Family Services York Region (formerly Family Life Centre), Sandgate Women's Shelter of Georgina, Yellow Brick House, York Region Abuse Program, and Women's Centre of York Region. By entering into the collaborative agreement, the agencies agree:

that in order to effectively end violence against women and children, service coordination between VAW and CAS agencies along with a shared understanding of woman abuse and child abuse and neglect is essential.

This section provides a summary of the contents of the collaborative agreement. Please refer to the agreement for complete details.

The primary objective of collaboration between CAS and VAW agencies is to increase the safety of children by:

- helping women to be safe;
- making the best use of the means available to hold the abuser accountable for harming and being a risk to the women and their children;
- to build a response that starts from the woman's and child's perspective and their perceived goals; and
- believing that women are the experts in their own self determination.

Values Guiding Collaborative Work

The following values guide their work together:

- Women and children are not responsible for their abusers' behaviour.
- Working together increases safety for women and children and decreases chances for re-victimization.
- Collaboration is most effective when the woman is part of the process.
- Child abuse and woman abuse are often the result of abuse of power in family relationships. Neither women nor children can be responsible for changing the abuser's behaviour.
- Children can experience trauma in families where women are abused.
- When a child is exposed to violence within the family this can have both short and long term consequences, depending on a child's age, gender and stage of development. The

² Adapted from the Collaboration Agreement for the Children's Aid Society and Violence Against Women Agencies of York Region. May 2004.

impact of violence to a child is significant, as demonstrated by excessive symptoms of distress, anxiety and fear.

- Ensuring the safety of children is paramount, as children are most vulnerable and have the least power in our society.
- Increasing the safety of abused women will increase the safety and well-being of children.
- Abusers must be held accountable for their abusive behaviour.
- CAS and VAW services can provide a community leadership role to influence system changes.
- Effective intervention will include all existing York Region Protocols as they relate to woman abuse and child abuse.

Principles for Intervention

Intervening in situations involving woman abuse should be done in a manner that supports women and their children, and that uses the means available to the VAW and CAS sectors, within the authority of their mandates, to hold the abuser accountable for violence.

These principles guide intervention:

- The primary focus of child protection intervention in woman abuse cases is the ongoing safety of the children.
- Protecting abused women helps protect their children.
- The safety and well being of children who are exposed to or who are witnesses of woman abuse is inextricably linked to the safety and well being of their mothers and this must be the first consideration in evaluating any intervention.
- Providing supportive interventions to women will help them protect and care for their children.
- Respecting the woman's right to direct her own life is critical.
- The abuser, not the victim, should be accountable for the negative impacts of exposing children to their violence.
- It is the responsibility of the justice system to investigate, charge and prosecute the abuser in order to hold the abuser legally accountable.
- All interventions should include a gender based analysis of power and control.
- All interventions should be culturally informed and based on culturally sensitive practices. Culture includes country of origin, religion, sexual orientation, ability, and economic status.

The order of the above list does not reflect priority.

Areas of Collaboration

The CAS and VAW agencies, agree to collaborate on each of the following points where our work intersects:

Intersection Point 1: The CAS has received a referral/report/information that a child may be in need of protection. The CAS worker suspects or learns that woman abuse may be/is occurring in the home. For example:

- When a report of alleged child abuse or neglect, current or past, comes to the attention of the VAW staff a report to the CAS will be made forthwith as per mandated within the *Child and Family Services Act (CFSA)*;
- When a report of alleged child abuse or neglect, current or past, comes to the attention of the CAS staff, CAS staff will follow up appropriately to determine whether the child / family is eligible for CAS service intervention.

Intersection Point 2: The CAS worker's is assessing the safety and future risk to the child. The CAS worker suspects or learns that woman abuse may be/is occurring in the home. For example:

- When CAS determines a child protection investigation is warranted, the CAS worker will attend the child(ren's) home, and conduct interviews including the child(ren), the mother, and all relevant family members. The interview will include gathering information regarding any history of abuse against the mother;
- The alleged abuser will be interviewed by the CAS worker and/or police (see Child Protection and Assault Protocol of York Region for procedures);
- The CAS worker will conduct a safety assessment determining the level and immediacy of risk to the child. The CAS worker will also conduct a risk assessment for the child(ren) using current Risk Assessment tools. Assessing need for protection must also include assessment of factors/options of danger and protection for the woman and child(ren), including efforts the woman has made to protect her child(ren) in the abusive relationship;
- The CAS worker will provide information/options regarding the range of services available in the community and will assist/support the woman in implementing options that will increase the safety of both herself and her child(ren);
- The VAW staff will follow CFSA legislation with respect to Duty to Report;

Intersection Point 3: The CAS worker is involved in developing a Plan of Service for a child in a case involving woman abuse:

- In those cases where violence against women has been identified as a risk to the child(ren) and the woman, the CAS worker will engage the woman, her child(ren) (if appropriate), the family (if appropriate) and collateral service providers, in the service plan solutions in order to address the factors that contribute to the risk of the child(ren);

- The CAS worker will develop a plan of service and will review the plan of service on a regular basis, and modify when indicated. Contained in the plan of service both short and long term risks will be identified and strategies to reduce or eliminate those risks will be identified and implemented.

Intersection Point 4: VAW worker is trying to determine whether a situation constitutes reasonable grounds to suspect that a child may be in need of protection. In some cases, (a) no report to CAS is required, or (b) a report to CAS is required.

a) No report to CAS is required:

- The CAS is available 24 hours a day, 7 days a week for both consultation and investigation purposes. Community professionals and lay people may contact the CAS for a consultation or present a hypothetical case to request information and direction on a case.
- The CAS worker can provide information that may help a VAW staff in making the decision whether a situation constitutes a suspicion that a child(ren) may be in need of protection.
- The CAS worker will make a determination based on the information provided at the time of the consultation as to whether or not a formal referral to the CAS is required.
- If it is determined that a CAS report is not required, the VAW worker will provide the woman with information about voluntary services provided by CAS and any other agencies whose services may be of assistance to the woman and/or her children.

b) A report to CAS is required:

- As per Section 72 of CFSA Duty to Report, VAW staff will provide relevant information.
- VAW staff are directed to refer to York Region Woman Abuse Protocol.

Intersection Point 5: A woman and a child are involved with both a VAW agency and CAS. They may either be known to be involved with CAS when becoming involved with a VAW agency, or become involved with CAS while involved with a VAW agency.

- While VAW agencies and the CAS share a common goal of ensuring the safety and well-being of women and children, it is important to recognize the separate and distinctive priorities in that regard.
- Given their distinctive mandates and different responsibilities, it is important for each to be aware of and understand those separate responsibilities. At the same time collaboration in these instances should lead to the most comprehensive and beneficial results for the mother and child(ren).
- Mutual respect and collaboration amongst service providers, in addition to the recognition that workers' knowledge of the other service sectors, increases the effective collaborative process.

- It is in the best interest of abused women and their children that roles and responsibilities outlined in the York Region Woman Abuse Protocol (2003) are followed in the delivery of service.

Intersection Point 6: The VAW or CAS worker is assisting a woman who is trying to negotiate custody and access agreements in order to increase her safety and that of her children.

- VAW staff will assist the woman in identifying what services are available to assist her, and in those circumstances whereby the woman requests legal support, VAW services will assist in accessing these legal services only, with the woman's permission.
- Current practice of the CAS will continue. Our mandate of ensuring the protection of children will remain the primary focus in all cases, including those of custody and access.

These specific intersection points have been identified for the purposes of identifying when the CAS and VAW agencies will collaborate. However, we recognize that they are only steps in an ongoing process to creating a fully collaborative working relationship. CAS and VAW agencies are committed to collaborating from the beginning to the end of our work in serving women and children wherever both child welfare and woman abuse are involved.

1.9 Children Exposed to Woman Abuse and the Duty to Report

Duty to Report

Under Subsection 72(1) of the Child and Family Services Act, the public and professionals have a duty to make a report to the CAS if they have reasonable grounds to suspect that a child is or may be in need of protection.

Ongoing Duty to Report

Also, a person who has additional reasonable grounds for suspicion is required to make a further report even if he or she has made previous reports with respect to the same child [C.F.S.A. 72(2)]. A person who has a duty to report must make the report directly and not rely on any other person to report on his or her behalf [C.F.S.A. 72(3)].

Professional Duty to Report

A professional person is guilty of an offence if he or she contravenes subsection 72(1) or (2) by not reporting a suspicion and where the information on which it was based where the information was obtained in the course of his or her professional or official duties [C.F.S.A. 72(4)]. The penalty for this is a fine of up to \$1,000.

It is incumbent on all those in contact with children who are exposed to their mothers being abused, to be attentive to the actual harm and/or risk of harm that can be caused to children by abusers. Using sound and reasonable judgment, professionals should intervene appropriately in an effort to support and protect the woman and her children and have the actions of the abuser stopped whether or not the intervention requires reporting to the Children's Aid Society.

Protection from Liability

The C.F.S.A. subsection 72 also states that the duty to report suspicions of a child in need of protection applies despite "the provisions of any other Act" and that there is protection from civil action for individuals who report unless that person has acted maliciously or without reasonable grounds for the suspicion.

Referral to CAS at Any Time

Remember, when you have reasonable grounds to suspect that a child has suffered, or that there is a risk that the child is likely to suffer abuse or neglect (specifically, one of the matters listed in subsection 72(1) of the Child and Family Service Act):

- Immediately notify the appropriate Children's Aid Society of the suspicion;
- Provide demographic data (including, name, age, gender, address, telephone number, etc.) and all the information upon which the suspicion is based;

- DO NOT delegate the making of the report to the Children’s Aid Society to any other person;
- Serve as a liaison between the agency, the family and the Children’s Aid Society, providing information as required or permitted by law;
- Provide support to the family and child when possible; and
- Assist in any necessary follow-up intervention where appropriate.

The York Region Children’s Aid Society encourages all service providers, when in doubt, to call the CAS for the purposes of assessing whether the concern is a reportable situation.

For more information on Grounds for Reporting, refer to relevant sections of the Child and Family Services Act.

For additional information you can also refer to:

York Region Children’s Aid Society
www.yorkcas.on.ca

Ontario Ministry of Children’s Services
Reporting Child Abuse and Neglect: It’s Your Duty
www.children.gov.on.ca/NR/CS/Publications/AbuseNeglect-en.pdf

1.10 Impact on Children Witnessing Abuse

Children living with woman abuse are likely to be maltreated themselves, at risk of injury during incidents of violence, are unable to grow up in a safe, supportive and peaceful environment, and are at risk at developing trauma symptoms.

The reactions of children who witness woman abuse can include emotional, social, cognitive, physical and behavioural maladjustment problems (Jaffe, Wolfe and Wilson, 1990). These children tend to show lower levels of social competence, higher rates of depression, worry and frustration, and are more likely than other children to develop stress-related disorders and to show lower levels of empathy (Fantuzzo, et al, 1999; Graham-Bermann and Levendosky, 1998; Moore and Pepler, 1998; Edleson, 1999).

How children react to woman abuse depends on many factors, including their age. As they get older, children develop a more sophisticated understanding of the violence and an increasing ability to intervene. Their coping strategies will also evolve.

Some of the impact on children include the following³:

Infants	Preschool Children	Latency 5-12 years	Early Adolescence 12-14 years	Later Adolescence 15-18 years
Disruption in eating and sleep Extreme distress when hearing loud noise Being too frightened to explore play Distressed Tense	Acting aggressively Clinging Anxious Cruelty to animals Destruction of property Symptoms of Post-traumatic Stress Disorder Worry about getting hurt Frustrated Confused Nightmares	Bullying General aggression Depression Anxiety Withdrawal Symptoms of Post-traumatic Stress Disorder Oppositional behaviour Destruction of property Poor school achievement Disrespect for females; sex role stereotyped beliefs Angry at both parents	Dating violence Bullying Poor self-esteem Suicide Post-traumatic Stress Disorder symptoms Truancy Somatic concerns Disrespect for females; sex role stereotyped beliefs Embarrassed Displays a great deal of concerns and responsibility for younger children Concern for well being of mother	Dating violence Alcohol / Drug abuse Running away from home Sudden decline in school achievement and attendance Disrespect for females; sex role stereotyped beliefs More likely to intervene in physical incidents and risk injury

³ Taken from Sudderman, M. and Jaffe, P., Health Canada (1999). *A handbook for health and social service providers and educators on children exposed to woman abuse*. Health Canada, National Clearinghouse on Family Violence, Ottawa, Canada. (p 13).

Chapter **2**

The Woman Abuse Response Protocol

2.1 York Region's Response to Woman Abuse: A Conceptual Model

The manner or approach used by helping professionals when interacting with abused women and their children makes a significant difference in their experience. The approach used with an abused woman is influenced in part by the level of understanding by the professional of the abused woman's behaviour, the dynamics of abuse, and the reinforcement of stereotypes, myths and violence in society. The characteristics of ambivalence, helplessness, and the denial that abused women often display are learned responses that have helped them survive the abuse.

By giving the abuser power, anticipating the abuser's needs, and keeping the peace by sacrificing her needs, the woman learns that these strategies sometimes work to lessen the severity, or duration of, a particular episode, or allow her time to call for help. These are coping mechanisms that the woman has adopted to survive in her situation. They do not in any way suggest that the woman is able to control, stop, or is responsible for the abuser's behaviour.

Another factor that influences the woman's behaviour is the socialization of women. Society teaches women to place the care and needs of their partners and families ahead of their own. As an integral part of the intervention process, women are asked to place their needs first, which goes against everything they have been taught. This process is extremely difficult for abused women, as their sense of self may have been diminished by the abuse.

In addition to working with abused women, it is understood that a major component needed to reach the goal of ending violence against women is working with the abuser. To effectively end the cycle of abuse, there must be a coordinated response from the point of arrest by justice officials, to rehabilitation aided by participation in counseling programs. It is important to continue to enforce the law so that abusers are accountable for their behaviour.

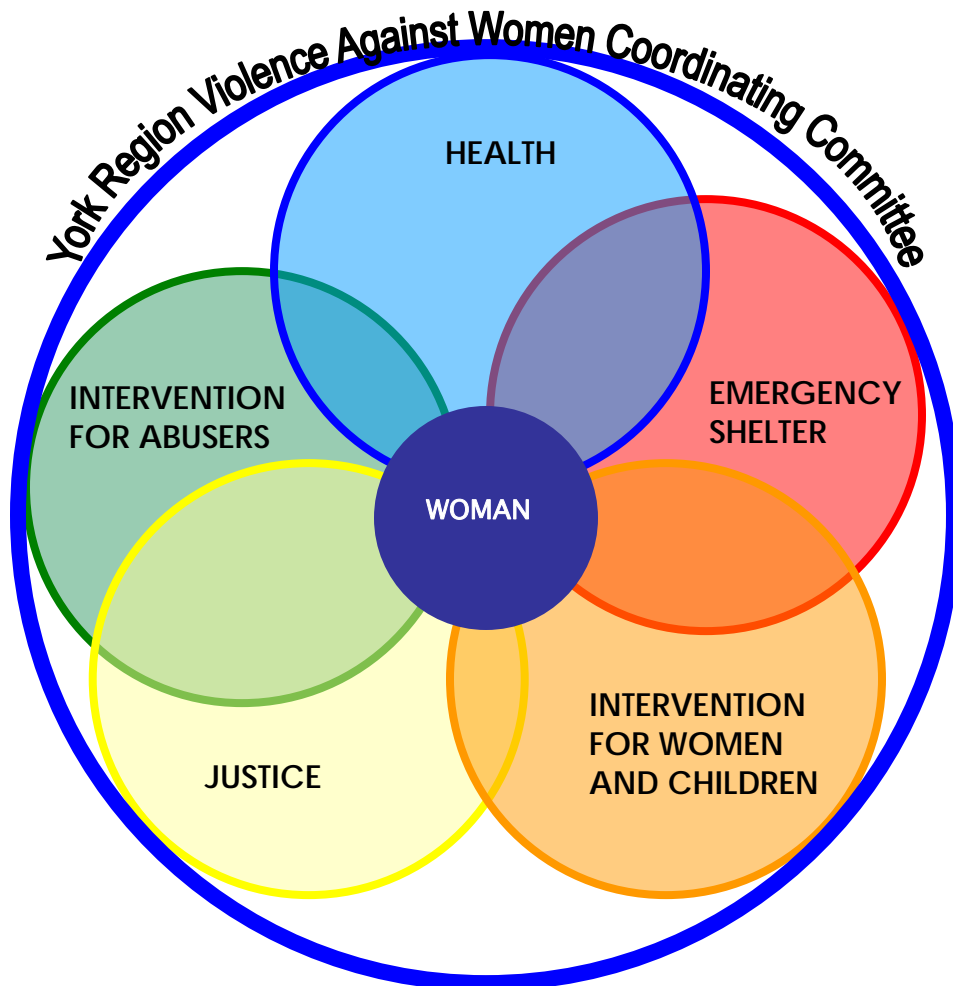
In our efforts to end the cycle of violence, we need to also address the needs of the often forgotten and silent victims of woman abuse – the children. Our response must be a systemic one that includes providing services to all members of the family. In this way, we not only treat existing problems, but also work toward the prevention of future problems.

The York Region Violence Against Women Coordinating Committee is intended to be a collaborative effort of providers of violence against women services and other concerned community organizations. The diagram below depicts our mission to develop and implement a coordinated plan for a comprehensive community-based service system. The model reflects the complex relationships that exist between agencies and the multiple points of entry into and exit from these systems.

The model is woman centred, which means that an agency's response should be tailored to the client's experience. The woman is in the centre, and is surrounded by her personal support network, which may include her family, friends and/or community.

The overlapping circles symbolize the coordinated community response and encompasses the sectors within which agencies that provide services operate.

Finally, the outer circle represents the support of the York Region Violence Against Women Coordinating Committee to support the work of the agencies serving women who have experienced abuse.



2.2 General Intervention Best Practices

The purpose of these general intervention guidelines is to provide organizations with principles for service provision meant to empower women who are experiencing abuse. The York Region Violence Against Women Coordinating Committee believes that it is important to offer women support, information and services that: (1) do not re-victimize women or put them at greater risk of harm; (2) optimize women's choices; (3) are respectful. It is also critical that service providers be aware of their own assumptions, biases and personal perspectives and that these not interfere with maintaining a respectful manner with the woman being assisted.

Initial contact: The initial encounter sets the stage for the woman's continued relationship with the service provider. Her experience should be validated and the impact trauma has on her should be recognized. During this initial encounter, the service provider should:

1. If you have received permission from the woman to speak with her:
 - Find out how she would like to be addressed. Minimize existing power imbalances by referring to her with the same formality with which she addresses you.
 - Identify yourself and the role you play as the service provider. Explain that you are there to help.
 - Explain clearly what types of services you offer and their duration. Discuss which types of assistance the women might find helpful.
 - Assure the woman that you understand that this may be a difficult process for her.

2. Respect confidentiality. Service providers have their own policies and procedures concerning confidentiality. It is the individual service provider's responsibility to be aware of their respective agency's policies and procedures concerning confidentiality and disclosure obligations, and to clearly communicate them to the woman.
 - Discuss what is meant by "confidentiality" and explicitly explain its limits.
 - All efforts to maintain confidentiality should respect the woman and her wishes, and be aligned with applicable legal requirements.

3. Try to ensure that the meeting environment is private, safe, and comfortable and that it facilitates communication.

4. Provide realistic and accurate information by identifying the implications and potential ramifications for the woman who accepts your assistance:
 - Discuss the limits of confidentiality and the possibility that your records may be subpoenaed.
 - Explain that if the woman gives a statement to the police she may have to repeat this information in court.

- Advise the woman that as a service provider who has tried to provide her with assistance, you may be called to testify.
 - Sensitively discuss the potential need to report to the Children's Aid Society, in cases where children are being exposed to woman abuse.
5. Provide her with any material, community contacts, or information that would benefit her and be certain to provide her with your contact information and ensure you have answered all of her questions.

A women's rights and choices: It is of fundamental importance that all service providers recognize a woman's right to make her own choices, regardless of whether these choices reflect our own personal beliefs and biases.

As such, it is crucial to emphasize the woman's choice in all matters, and to inform her of all the options that are available to her, including:

- The right to remain in, or return to, an abusive relationship.
- The right to withdraw from receiving services, and the right to choose the services she wants.
- The right to clear information about criminal proceedings with regard to her ex-partner, and the right to seek independent legal counsel to pursue civil action and representation at the Criminal Injuries Compensation Board.
- The right to receive medical attention / intervention that is sensitive and that is first explained to her in detail.
- The right to services that respect her religion, culture, language, abilities, and sexual orientation.
- The right to free or affordable services.
- The right to accessible and timely services.
- The right to a complaints procedure.
- The right to tell her story as infrequently as possible.
- The right to reasonable access to agency and police reports / client files.
- The right to follow-up services and continuity in service delivery.
- The right of children to be protected against the harmful experience of being exposed to woman abuse.

2.3 Customer Service Best Practice Guidelines

1. The safety of women, children and workers is paramount

When first speaking to a client ask whether she is safe now

- Suggest contacting the police if she has concerns about her safety
- If it is not safe for her to speak to you at that moment, suggest that she phone back when it is safe
- Ask when it is safe to call her

When making arrangements for a client to come to your office, enquire about any potential safety or security issues

- When a client is waiting to speak with you, ask whether she feels safe in the waiting room. If not, make appropriate arrangements

When dealing with a client's file, take precautions for her safety

- Do not put a client's address on the front of the file
- Do not disclose a client's whereabouts unless given permission
- Always ensure that there are no identifying documents / files left in view or accessible to other parties at any time

When seeing a client, take appropriate precautions for your own safety

2. Violence is a crime whether it occurs in public or in private

Give clients appropriate information about legal options to address violence

- Inform clients of the option and process of making a complaint to the police
- Inform clients that violence is a crime
- Be aware of referral options for support services

3. Actively involve clients to assess their own legal needs and to have control to make decisions about their future

When giving information to a client, let the client make up her own mind and provide her with enough information to assist her to make her own decisions

4. It is important to work collaboratively with other service providers that support clients who have been abused

When giving information to your client, provide information about services that will address her other needs and those of her children

- Ensure that you have knowledge or access to information about appropriate services, e.g. shelters, counseling, and community specific programs

5. All clients should be treated with respect

When assisting a client and hearing of her experience of violence, do not be judgmental in your response

6. Services should be accessible and equitably delivered to all clients affected by violence

When providing information and referrals, ensure that cultural and language issues are addressed

- When referring a client from a culturally and linguistically diverse background, a client who is disabled, or who has other special needs, inform the agency of the specific needs that have been identified

When arranging for a client to visit the office, be aware of possible barriers, including language, cultural and physical

- When language issues are identified, trained interpreters should be offered
- Make alternative arrangements if a disability precludes her from coming to the office

7. Develop and maintain a knowledge of the social context of violence including power, control and gender

When assisting a client who has experienced violence, inform her that she is not alone and is not to blame

- Acknowledge that the responsibility for the violence lies with the offender

Ensure that you are informed about the impact of abuse on women and children who witness it

Adapted from the Best Practice Guidelines for the Client Service Centre for working with clients who have experienced violence, by Legal Aid Queensland, Australia

2.4 Understanding Risk and Assessing a Woman's Safety

It is important for the client and service provider to develop an understanding of the impact of the abuse. Of particular concern is whether the woman is at risk of death or of serious injury.

The following questions, adapted from the Woman Abuse Council of Toronto (2001) are included to help service providers identify high risk indicators. The tool is to be used by a counselor / advocate with a woman. ***It should not be used by a woman alone, as it can be traumatic.***⁴

1. To the best of your knowledge, has your partner assaulted any previous spouses / partners or children from another relationship?
2. Has your partner assaulted / threatened you before?
3. Has there been a recent increase in assaults / threats?
4. Have your children been assaulted by your partner?
5. Have the police been called to respond to any domestic situations involving your partner prior to this incident?
6. Has your partner destroyed or damaged any of your belongings or contents of your home?
7. Has your partner injured or killed your pet?
8. Has your partner threatened to kill or harm you?
9. Has your partner threatened to kill or harm the children?
10. Has your partner threatened / attempted suicide? In these threats, have there been specific details of a plan, e.g. specific weapon, time, place, dangerous act?
11. Does your partner own or have access to firearms or weapons?
12. Has your partner recently applied for a Firearms Acquisition Certificate?
13. Has your partner used, or threatened to use guns or other weapons against you, the children or any other person?
14. Have you separated or discussed separation with your partner?
15. If so, is your partner reacting in an aggressive and / or threatening manner?
16. Is your partner obsessed, overly jealous, or extremely dominant with you?
17. Has your partner forcibly confined you, or prevented you from using the telephone, leaving the house, or contacting family or friends?
18. Has your partner engaged in any stalking behaviours with you in the past?

⁴ Adapted from The Region of Peel Woman Abuse Protocol, which is based on Metropolitan Toronto Police, Domestic Violence Supplementary Report, as cited in the Ontario Provincial Network of Sexual Assault Care and Treatment Centres (n.d.) *Domestic Violence Response Teams Training Binder*. Toronto, Ontario.

19. To the best of your knowledge, has your partner engaged in any stalking behaviour with other people?
20. Does your partner use drugs or alcohol?
21. Is your partner under psychiatric care, or has your partner been under such care in the past?
22. Is your partner on any medication?
23. Is your partner taking such medication as prescribed?
24. Has your partner breached any court order, such as bail conditions or restraining orders?
25. Do you believe your partner is capable of severely injuring or killing you (or your children)?
26. Do you have any fears for your safety, or the safety of your family?
27. Do you have a personal safety plan in place to help protect yourself and your children in the event of a problem with your partner?
28. Have you obtained a custody order, or a restraining order?
29. Is there anything else that is causing you to fear your partner?

Once these questions have been discussed, it is important to assist the woman in developing a customized safety plan. You should emphasize that although the woman does not have control over her (ex) partner's violence, it is possible to increase her own safety, as well as the safety of her children.

2.5 Best Practice Guidelines for Making Referrals

This section offers best practices for making referrals. While it is intended for use by VAW designated services, we are hopeful that any service provider who encounters an abused woman will also follow these practices.

A referral is not a matter of diverting or sending a client from one service provider to another, or providing her with a list of agencies and telephone numbers. For the purposes of these Best Practice Guidelines, a referral is *the transfer of trust from an employee with one service provider to another employee with another service provider*. Accordingly, the Guidelines use the word 'connect' to reflect this transfer of trust.

One of the cornerstones of providing good customer service to abused women is the systematic and consistent connecting of any woman requesting VAW services with an appropriate service provider. The goal is to make this connection within 48 hours of the request.

Referring to another agency: When connecting a woman to another agency, the agency making the referral will:

- Whenever possible, encourage the client to make a telephone contact with the receiving agency in the presence of the worker. An appointment can then be made between the client and the receiving agency.
- Ensure that the client has all the names and directions that she requires.
- If the client declines an immediate referral to the receiving agency, but agrees to consider it for the future, the referring agency will provide the client with the names and numbers of workers of both the referring and receiving agencies and encourage her to call one of them if and when she is ready.
- If you are referring the client to an agency you haven't worked with before, speak to the agency worker first to explain why you are making the referral and establish whether the receiving agency is willing and able to provide the client with the services requested.

Receiving a referral from another agency: When receiving a referral from another agency, the receiving agency will:

- Make every attempt to take the phone call right away.
- Reassure the client that you would be happy to see her at her earliest convenience, and attempt to book an appointment right away.
- Obtain **consent** for the referring agency to send her case information so that she will not have to repeat her story and information again. Whenever possible, avoid having the client repeat her story by referring to available information in the file.
- Explain the range of services you can provide to her and within what timeframe.
- Assure the client that, if needed she may receive several appointments with your agency and she may be connected to other needed services including group support services.

2.6 Accountability and Problem Resolution

The member agencies of the York Region Violence Against Women Coordinating Committee are committed to being accountable for the services they provide and as such, to providing women with explicit methods of resolving problems.

Accountability: Clients have the right to address concerns and / or make complaints to the agency serving them. It is the responsibility of all agencies to inform women of this right and of the processes in place to do so. Client complaints or concerns regarding the quality or nature of the services provided can be addressed to the executive director or the designated person within the organization. All complaints or concerns will be investigated and responded to according to the policies and procedures of that organization. (Please refer to Chapter 4 – Agency Profiles for information on who to contact with complaints.)

Problem resolution between member agencies: We recognize the importance of addressing the potential for conflicts and problems between and among service providers. In order to continue to work cooperatively, all participants agree that issues will be brought to the table in the spirit of problem solving rather than attaching blame.

Accordingly, inter-agency problems can be addressed in the following ways:

- Frontline or direct service staff of the agency will contact each other directly regarding the problem.
- If staff members cannot satisfactorily resolve the issue, they will advise their respective supervisors.
- The supervisors will bring the matter to the attention of the Coordinating Committee representative at their agency.
- Representatives from the two signatory agencies to the Woman Abuse Protocol will attempt to resolve the matter.
- If it is a Protocol related issue, it will be brought to a Protocol Work Group meeting to be addressed and if possible, resolved. This is the final level of complaint after all other avenues to resolve the conflict have been exhausted.

2.7 Woman's Factual Data Log

Woman's Factual Data Log is adapted from the Personal Information Journal, included in *The Region of Peel Women Abuse Protocol: Best Practice Guidelines*. It was developed by a group of women who have experienced abuse in the past, and is meant to assist women who find themselves in a similar situation.

The Data Log is intended to be a tool a woman can use to collect and maintain important information for her own records. It also allows a woman to have personal information documented in one place. The tool is especially useful because women who are navigating the system will meet many people (counselors, lawyers, doctors) at various points in the process. The Data Log may also help to decrease the stress a woman may feel when asked to repeat the details of her story.

To be effective in court proceedings, the *Woman's Factual Data Log* **must** be a factual account of the abuse and other pertinent information. It is not intended to be a personal journal. If a woman wishes to keep a personal journal or diary, with her thoughts and feelings, she is encouraged to keep it separate from the Data Log and to keep it confidential. **If others become aware that the woman has a personal journal or diary, it could be subpoenaed for use in court.**

The woman may want to use the Data Log to keep information on the abuse, what happened during each incident, injuries and witnesses, and to note police activity. Photographs and a log of threats made to her, her children, and others may be included in the Data Log. She may also want to inform her doctor about the abuse and ask that it be included in her medical records. Any documentation of the abuse that she is able to get and keep will help her after she leaves the relationship and if there is a problem with support, custody or other legal matters.

Service providers should advise women interested in using the *Woman's Factual Data Log* to keep it in a safe place, which only she has access to, in order to protect her privacy and confidentiality. Service providers should also encourage the woman to consult with her counselor as to where to keep the *Woman's Factual Data Log* and with whom she might share it.

The *Woman's Factual Data Log*, included as Appendix A, is divided into nine parts, including:

- Partner Information
- Police Occurrences Report
- Legal Information
- Medical Data
- Other Important Contacts
- History of Abuse
- Record of Abusive Incidents
- Creating a Safety Plan
- Other Relevant Information

Chapter **3**

Working with York Region's Diverse Communities

3.1 York Region's Diversity

York Region's population is increasing along with its diversity. Between 1986 and 2001, the Region's population has more than doubled. This population is increasingly becoming more diverse due in large part to the increased settlement of recent immigrants (those who arrived between 1996 and 2001) in the region and the aging of the baby boom generation.

This very rapid growth and changing demographics is expected to continue well into the future.

While some organizations have been proactive about becoming more inclusive and in addressing the changing needs of the Region's population, others have been reactive and made changes when needed.

Organizations are encouraged to understanding the changing demographics and the implications this has on providing services to abused women that are responsive to their needs.

Population Change

- At the time of the last Census in 2001, York Region's population was 725,665. As of February 28, 2006, York Region's population is estimated to have reached over 923,000.
- In 2000 and 2001, the Region was growing at an average rate of 5.7%, or 40,000 people per year. Between 1996 and 2001, York Region had the highest growth rate within the GTA, growing by 160,000 people.
- While all areas within the Region experienced growth, most of the population growth was concentrated in the southern half of the Region.

Immigration

Census data shows that the immigrant population in York Region is growing at a much faster rate than the non-immigrant population. Immigration then affects the diversity of the Region's population with respect to race, ethnicity, language and religion.

- Between 1991 and 2001, the number of recent immigrants in York Region increased by 132%, while the number of non-immigrants increased by 31%.
- In 2001, 39% of residents in York Region were born outside Canada. This is up from 28% of the population in 1986.
- 43,405 or 6% of York Region's population has immigrated to Canada in the 1996-2001 period.
- Since 1981, there has been a shift in the source of York Region's immigrant population – from Southern Europe to Asia and Eastern Europe.
- The top five countries of birth for recent immigrants in York Region are Hong Kong (19%), China (13%), Russian Federation (7%), Iran (7%) and India (6%).

Ethnicity and Race

Ethnic Origin refers to the ethnic or cultural group to which an individual's ancestors belong. This category stresses cultural ties and includes individuals that associate with a specific ethnic group but do not necessarily speak the language.

Statistics Canada collects information on the population's race and defines visible minorities to be individuals, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour, regardless of their place of birth.

- York Region is becoming increasingly diverse as the area attracts more new immigrants to the country along with migrants from other parts of the GTA. In 2001, the ethnic composition of the Region was:
 - Italian 14%
 - Chinese 13%
 - British 8%
 - Canadian 8%
 - Jewish 5%
 - East Indian 4%
 - Greek 1.4%
 - German 1.2%
 - Filipino 1.2%
 - Iranian 1.1%
 - Other single responses 14%
 - Multiple responses 31%

- Ethnic origins varied considerably over York Region. For example:
 - Vaughan and King showed the highest proportion of those reporting to be Italian (39% and 16% respectively);
 - Markham and Richmond Hill, those of Chinese ethnic origin were the largest group (28% and 20% respectively);
 - The second largest ethnic group in Vaughan was Jewish (11%);
 - The second highest ethnic origin in Markham was East Indian, and in Richmond Hill it was Italian.

- 30% of residents consider themselves to be a visible minority.

- As of 2001, visible minorities represented 71% of the recent immigrant population living in York Region.

Language

- 89% of recent immigrants speak English and/or French.
- Over 10,000 recent immigrants, or 11% have no knowledge of English or French. This is the highest percentage of recent immigrants that have no knowledge of either official language in the GTA.
- In 2001, 24,000 or 3.2% of the population reported that they had no knowledge of English or French.
- Cantonese is the single most common non-official language spoken at home by recent immigrants in York Region (28%), followed by other Chinese (14%), Russian (6%), and Farsi (4%).

Religion

- The most common religious affiliation for York Region's total population is Roman Catholic (35%), followed by "No Religion" (17%), Jewish and United Church (8% each).
- For new immigrants, the most common affiliations are "No Religion" (33%), followed by Roman Catholic (19%) and Muslim (11%). The high reporting of "No Religion" could be due to other factors such as fear of reprisals rather than lack of specific denomination.

Age

- The baby boom generation makes up 35% of the Region's population. In Canada, the baby boom generation is usually defined as the generation born from 1947 to 1966.
- By 2026, the aging of the baby boom generation will increase the population of seniors. It is estimated that in 2026, 21% of the Region's population will be over the age of 50.

Disability

- It is estimated that approximately 9% of the population between the ages of 15-64 in York Region have a physical or developmental disability.

Implications for service delivery

The growth trends for the Region indicate that there will be an increased demand for all types of social services. In addition, the increasing diversity of the population will challenge social service providers in responding to the increased demand for services that accommodate the differences within the population. This also suggests the need for increased links with community organizations with knowledge and expertise in working with the diverse populations.

The data also indicates that there is also an increase in vulnerable populations, including low-income households, seniors, single parent families and persons with disabilities. This increases the demand for additional services to assist these populations in dealing with abuse, including income support, affordable housing, support for the elderly, etc.

Service providers should reflect the community they serve and be responsive to the diverse needs within the community. Responses to the changing demographics include:

- Providing printed information in other languages and alternate formats (e.g. audio cassettes, large print, Braille);
- Using interpreters when providing services to clients with limited English language ability;
- Providing American Sign Language (ASL) interpreters;
- Reviewing policies and programs to ensure they are inclusive and accommodate cultural and religious differences and needs;
- Increasing diversity awareness and cultural competency among staff;
- Promoting services to ethnocultural communities;
- Addressing the issues for transgendered women in policies and programs
- Establishing relationships or improving communications with community organizations serving the diverse populations.

Data Sources:

York Region census data implications. The Regional Municipality of York. October 16, 2003.

The Changing Face of York Region: A Demographic Profile. The Regional Municipality of York. (n.d.)

Highlights from Community Snapshots: Recent Immigrants Living in York Region. The Regional Municipality of York (n.d.)

3.2 Issues for Various Populations

Women from all backgrounds and circumstances experience abuse. However, there are unique issues and indicators of abuse for different groups of women who experience abuse.

First, it is important to understand that woman abuse in these communities often take place against the back-drop of social and economic marginalization. For Aboriginal women and women from diverse ethnic and racial groups, their experience is situated within the context of racial, sexual and economic oppression. For lesbian, bisexual and transgendered (LBT) women, their experiences are situated within the context of a homophobic society. For immigrant women, the back-drop sometimes includes major social upheaval and the strains of immigration and acculturation. Immigrant women may also fear deportation if their relationship breaks down.

The unique features of these populations are often used against them, including threats based on immigration status, threats of telling others about the woman's sexual orientation or gender identity, using minority status and language competency against women, threats against extended family, and pressure to accept abuse and not seek help outside of the community.

To ensure the response to abused women is appropriate, the diversity of women in York Region should be understood and taken into account in policy and program development and service delivery. While all women share common experiences, the unique issues of the various groups must also be acknowledged.

This section highlights some of the issues that specific populations face, and some of the additional indicators of abuse for these populations.

WOMEN WITH DISABILITIES

Women with intellectual and learning disabilities

Women with intellectual and learning disabilities can be very vulnerable to abuse because they often have limited life experience, sometimes live isolated and restricted lives, and are likely to be dependent on others.

Limited literacy skills, difficulty with comprehension and understanding of certain concepts and difficulty recalling events can often significantly affect their ability to access the criminal justice system.

Women with mental health issues

Psychiatrized women or women with mental health issues may experience issues similar to disabled or elderly women, as they are not often able to access appropriate supports and services. Psychiatrized women include those who have a DSM IV diagnosis (see the Glossary of Terms, Appendix D) and may be or have been involved in the mental health system. Psychiatrized women are further marginalized when the mental health system accepts and believes the abusive partner's forms of manipulation of this system.

No woman should be refused service and/or not believed when she reports abuse, based on her ability or mental health status.

Women with physical disabilities

Women with physical disabilities are vulnerable to abuse because they are more dependent on a larger number of people for their care, and are less able to get away from their abuser. She may fear that she will not be believed if she does report abuse because people with disabilities are viewed negatively in society.

For women with disabilities, there may be additional indicators of abuse, including:

- The abuser limits the woman’s ability by denying her access to proper medical attention, resources, and medical aids to support independent functioning;
- The woman may display exaggerated physical symptoms (more severe than those typically observed in her daily living with her disability) that may have been triggered by the abuse;
- The woman may be unable to report abuse because of her disability, therefore it becomes important to communicate in other ways, e.g. drawings;



FOR MORE INFORMATION SEE:

Violence Against Women with Disabilities

www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/pdfs/2005femdisabl_e.pdf

Tips for Women’s Service Providers Working with Women with Disabilities

<http://www.womanabuseprevention.com/Distips.pdf>

OLDER WOMEN

Like some other groups of women, the potential isolation and dependence on others can contribute to the vulnerability of older women to violence. The fear of losing a home and financial security, the loss of important family relationships may create barriers to leaving violent relationships. The older woman who is abused may also be reluctant to report her family member as the abuser, or she may be unaware of her rights.

Older women may be bound by traditional and cultural values that prevent them from leaving an abusive spouse or from seeing themselves as a victim. They are very often dependent on their spouse and may not have access to the financial resources they need to leave an abusive relationship. In addition, they may be isolated from their family, friends and community, particularly if they suffer from a chronic illness and are dependent on their spouse or caregivers.

Research shows that elder abuse is on the rise. However, it is highly under-reported. Abuse may be hard to detect as some symptoms of the abuse can be minimized or go undetected because they may be similar to the symptoms related to age.

Additional indicators of abuse for older women include:

- Recurrence of the same unexplained injuries;
- Report of repeated falls;
- Misuse of medications (over or under use);
- Medical problems that have gone untreated;
- Signs of malnutrition or dehydration;
- No eye glasses or dentures when there is obvious need for these medical aids;
- Signs of fear or depression;
- Lack of social supports.



FOR MORE INFORMATION SEE:

Abuse and Neglect of Older Adults

<http://www.phac-aspc.gc.ca/nctv-cnivf/familyviolence/pdfs/abuseneg98en.pdf>

Abuse and Neglect of Older Adults: Community Awareness and Response

http://www.phac-aspc.gc.ca/nctv-cnivf/familyviolence/pdfs/agecommuni_e.pdf

WOMEN FROM CULTURALLY AND LINGUISTICALLY DIVERSE BACKGROUNDS

Women from various immigrant, cultural and linguistic communities may need additional support to access services in the community.

They may not speak English and consequently they may have difficulty communicating their needs and may experience difficulty in finding appropriate resources.

Many social service agencies have staff who speak a number of languages. The agencies listed in Chapter 4 have identified the languages spoken by staff and have identified the availability of interpreter services. Where an interpreter is needed, the agencies can apply to Multilingual Community Interpreting Services for services. After an application and approval, free interpretation services to victims of abuse are available in York Region through service providers. See Multilingual Community Interpreting Services in Chapter 4 – Agency Profiles.

Immigrant and refugee women may also be hesitant to disclose abuse because their partners have told them that disclosing would put their immigration status at risk or may cause them to be deported. These women may have limited knowledge of Canada's legal systems and its responses to violence against women.

These women may face other issues which could contribute to their experiences of violence and decrease the likelihood of escaping from violent relationships. These include post migration issues such as isolation, lack of support, language issues and unemployment.

Additional indicators of abuse include:

- Fear of being shunned by their community or family;
- Social isolation because their partner controls their daily or social activities;
- Restricted from establishing or maintaining relationships with family and/or friends;
- Women may be unaware that woman abuse is a crime in Canada and that laws exist to protect them;
- She may fear or be distrustful of police;
- Family may be used as a coercive tool and there may be threats that financial support of her family may be stopped;
- Women may be unaware of the community resources and services available to them.



FOR MORE INFORMATION SEE:

Abuse is Wrong in Any Language

http://canada.justice.gc.ca/en/ps/fm/pub/abuse_is_wrong/abuse.html

Isolated, Afraid and Forgotten: The Service Delivery Needs and Realities of Immigrant and Refugee Women Who are Battered

www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/pdfs/isolatedafraid.pdf

PREGNANT WOMEN

Pregnant women are not immune to abuse. In fact, pregnancy is a particularly vulnerable time for women in terms of violence. Research shows that there is a higher incidence of abuse among pregnant women, with even greater risk to pregnant or parenting teens. It is not uncommon for abuse to start or to increase during pregnancy, with adverse effects on the mother and fetus.

Additional indicators of abuse include:

Pre-natally

- Several missed appointments
- Feigned labour to avoid being at home
- Premature contractions
- Sexually transmitted diseases
- Threatened abortion
- Miscarriages
- Seeking late prenatal care (e.g. second or third trimester)
- Fear of partner
- Direct trauma to uterus
- Unhappy about the pregnancy

During labour and hospital stay

- Her partner will try to make decisions about how to deal with the pain she is experiencing
- Her partner may present as controlling, display inappropriate behaviour, or smell of alcohol
- After her visits with her partner, the woman seems visibly distressed
- Her partner is absent from the labour room or does not leave the woman alone during extended labour, i.e. will not leave the labour room for meals or a break

Post-natally

- The child may have low birth weight
- The woman may be hesitant to leave the hospital
- The woman may miss appointments
- The woman may not return for post-natal clinic visits
- Her partner calls to cancel post-natal visits



FOR MORE INFORMATION SEE:

A Handbook for Health and Social Service Professionals Responding to Abuse During Pregnancy
www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/pdfs/pregnancy_e.pdf

WOMEN IN RURAL AND REMOTE AREAS

Women in rural and remote areas face particular issues in relation to violence. Geographical isolation and limited services can mean that women have difficulty accessing support and assistance. They face lack of resources, isolation, small town politics, few support services and poor or little transportation and communication systems. Patriarchal networks, deep-rooted cultural and religious traditions and commonly accepted stereotypes can lead many to blame the woman for the abuse.

Where the abuser has a close relationship with the professionals in the town, is well known, or has a high social standing in the community, those in the community may disbelieve the woman.



FOR MORE INFORMATION SEE:

Family Violence in Rural, Farm and Remote Canada
<http://www.acjnet.org/docs/famvidoj.html>

YOUNG WOMEN

Young women also face high risk for experiencing violence. Violence against them can lead to homelessness, pregnancy, long-term emotional effects and can be a key factor in the development of eating disorders, drug and alcohol dependencies.

The social, cultural, religious and family messages they receive about intimacy and relationships can be confusing, misleading or even unhealthy. Many teens can therefore find themselves unsure of what to expect and how to behave in dating or intimate relationships. Fear, misconceptions, lack of services, low self-esteem, control by the abuser, peer pressure and concern about family response all combine to keep abused young women trapped in silence and secrecy.



FOR MORE INFORMATION SEE:

Education Wife Assault
Newsletter on Young Woman Abuse
http://www.womanabuseprevention.com/html/Newsletter_Main_2005.htm

LESBIAN, BISEXUAL, TRANSGENDER AND TWO-SPIRITED WOMEN IN SAME SEX RELATIONSHIPS

As in other relationships, violence and abuse occurs in same sex relationships. And like other abusive relationships, the issue is about maintaining power and control.

LBT women can face particular difficulties in accessing assistance. The history of criminalization of same sex relationships makes LBT victims reluctant to access protection through an institution known to have persecuted and stigmatized them.

While they may face physical, sexual or emotional abuse, or the threat of violence, they may fear additional threats such as outing. Outing is the revealing or threat of revealing one's sexual orientation or gender identity to friends, family, co-workers, landlords, etc. The use of outing, heterosexism and phobias plays on the awareness of societal biases to convince victims of the very real possibility that they will not receive help from legal, social or medical providers. Abusers use these added threats to exert greater control, lower self-esteem and instill fear. They may exploit the potential for discrimination and convince their partners that going outside of the relationship will result in abuse and injury by neighbors, family, police, medical providers and others.



FOR MORE INFORMATION SEE:

Abuse in Lesbian Relationships: Information and Resources
<http://www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/pdfs/lesbianabuse.pdf>

Education Wife Assault
Abuse in Same Sex-Relationships
http://www.womanabuseprevention.com/html/same-sex_partner_abuse.html

ABORIGINAL WOMEN⁵

Many studies have found that family violence within Aboriginal communities is not merely a problem affecting certain Aboriginal families within otherwise healthy or “normal” communities. These studies have found that, to a large extent, domestic violence and abuse have become a part of the way of life within many communities.

The *Report of the Royal Commission on Aboriginal Peoples* (1996) a number of factors linked to violence in Aboriginal communities were identified, including: systemic discrimination; economic and social deprivation; racism; overcrowded and substandard housing; alcohol and substance abuse; and the intergenerational cycle of violence.

In the past, abusive behaviours were moderated by traditional cultural values that were the foundation to all Aboriginal societies across North America. These values, including acceptance,

⁵ *Aboriginal Domestic Violence in Canada*. Aboriginal Healing Foundation. 2003.

protection, support and nurturing within the community, have been lost due to European settlement and the historical experience of Aboriginal peoples.

When addressing Aboriginal woman abuse, it should be understood that it is:

- a multi-factoral social syndrome, and not simply undesirable behaviour;
- supported by community and societal dynamics;
- rooted in intergenerational abuse;
- likely linked to the need for healing from past trauma; and
- has its roots in Aboriginal historical experience, which must be adequately understood.



OTHER RESOURCES

Supporting Woman Abuse Survivors as Mothers: A Resource to Support Parenting
<http://www.lfcc.on.ca/mothers.html>

Chapter **4**

Agency Profiles

Health Services

**Domestic Abuse and Sexual Assault (DASA) Care Centre,
York Central Hospital
York Region Health Services**

Domestic Abuse And Sexual Assault (DASA) Care Centre York Central Hospital

Address: York Central Hospital –Jacob Keffer Site
37 Jacob Keffer Pkwy
Vaughan, On L4K 5N8

Location: Non-emergency services: Jacob Keffer East of Keele , off Rutherford
Emergency services: York Central Hospital, Richmond Hill

How To Contact Us: Phone 905 832-1406 ext 3
Toll-Free 1 800 521-6004
Fax 905 832-1780
Website www.yorkcentral.on.ca
E-mail dasa@yorkcentral.on.ca

Commitment: We will, within the mandate of our services be inclusive and provide equal treatment for all people accessing our services. We will be sensitive to issues related to race, ethnicity, gender, age, sexual orientation, socio-economic status, and/or abilities.

- We Will:**
- Assist victims / survivors in understanding medical, legal and counselling options available to them;
 - Provide forensic documentation and photography of injuries to anyone who has incurred physical injuries as a result of abuse by current or past intimate partner;
 - Collect samples for forensic evidence kit, when applicable;
 - Provide emotional and therapeutic support;
 - Provide risk assessment and safety planning;
 - Provide follow-up documentation and photography of injuries and make appropriate community referrals;
 - Notify the appropriate Children's Aid Society if there are any child welfare concerns.

Accountability: Concerns regarding the quality or nature of the services can be directed to the co-ordinator, DASA Care Centre.

All complaints will be responded to in accordance with York Central Hospital's Policy and Procedures Manual.

Hours of Operation: Emergency Service: 24 hours, 7 days a week at York Central Hospital
Non-emergency Service and Follow-up Clinic: by appointment, at Jacob Keffer site, Vaughan

- What We Do:**
- Acute medical care for survivors of partner physical assault by emergency department staff
 - Sexual assault evidence kit within 72 hours of sexual assault
 - Documentation and photography of injuries by DASA nurse
 - Safety planning by DASA nurse
 - Non-acute physical assessment, risk assessment, safety planning and documentation of injuries by appointment

Who We See: Residents of York Region who have experienced:

- Physical and/or sexual assault by current or past intimate partner;
- Criminal harassment;
- Sexual harassment;
- Sexual abuse/assault.

Procedures: 1. Phone Inquiries

Victims/survivors who inquire about partner abuse/assault will be informed of and provided with the phone number or directed to:

- The Emergency Department for care, treatment and referral to DASA if they have incurred physical injuries
- Local women's shelters for safe housing
- York Regional Police to report assault
- Counselling Services for counselling and information services

2. Victims/Survivors who arrive at the York Central Hospital Emergency Department will be:

- Triaged, registered and assessed in a treatment area and an Emergency Treatment Record and an Emergency Assessment Flow-sheet will be initiated
- Informed of the opportunity to be seen by the DASA nurse on-call
- Transferred to the care of DASA team if medical treatment not required
- Re-assessed, including full vital signs by the Emergency Dept nurse if medical treatment required
- Assessed and treated for physical injury by the physician
- Offered emotional support, documentation and photography of injuries, safety planning by DASA nurse
- Offered an interpreter when applicable
- Offered a follow-up appointment at Jacob Keffer site

3. Discharge

For women who have experienced partner assault, the DASA nurse will:

- Offer arrangements for safe place to stay, when applicable
- Provide taxi voucher for transportation, if needed
- Give the patient information about reporting to police and provide the initial contact if patient consents
- Give patient phone numbers of community resources
- Call Children's Aid if children at risk
- Make follow-up appt with DASA RN at Jacob Keffer site

Physical Access: Emergency entrance - wheelchair accessible

Languages: English.

Interpreters available in multiple languages by appointment.

Last Updated: September 15, 2006

York Region Health Services

(Child And Family Health Division Health Services Department Regional Municipality of York)

Address: 17250 Yonge Street
PO Box 147
Newmarket, ON
L3Y 6Z1

Location: Office sites in: Newmarket, Richmond Hill, Markham

How To Contact Us: Phone 905-895-4511
Toll-Free 1-877-464-9675

Health Connection: 1-800-361-5653
TTY 1-866-252-9933

Fax 905-895-6602
Website www.york.ca
E-mail info@york.ca

Commitment: The Child and Family Health Division develops and delivers coordinated community prenatal, postnatal, child and family-related education and support programs and services. The importance of a child's early years is highlighted through programs including breastfeeding, infant and child growth/development, parenting skills, preconception health and postpartum depression.

Most services are free. Some programs have a nominal fee which can be waived.

We Will: We provide health education and support to families because a child's early years – from before birth to age six – are very important for optimal growth and development. When babies and children have a good start in life, they are more likely to become healthy adults.

Some of our services are provided directly to the public, while others are offered in conjunction with community partners. Where appropriate, we refer and provide links to other agencies.

Accountability: Concerns can be directed to:

Anita Eveleigh
Director, Child and Family Health
Chief Nursing Officer

Hours Of Operation: Office hours are from: 8:30 a.m. to 4:30 p.m. Monday to Friday (excluding statutory holidays)

(Some programs may be offered during evenings or on Saturdays)

What We Do: Public Health Nurses offer education and support to all families in York Region who are planning for a pregnancy, are in the prenatal period or have newborns and children up to age six years.

Telephone counseling and home visits are offered.

Programs and groups are offered throughout York Region.

Health Connection is a free and confidential telephone service that provides health information/education for all the residents of York Region. Public health nurses, public health dietitians, and public health inspectors offer counselling/consultation on health issues and community resources.

Health Connection is staffed from 8:30 a.m. to 4:30 p.m. Monday to Friday, excluding statutory holidays. An automated message line is available 24 hours per day, seven days per week. Messages will be returned the next business day.

Call Health Connection 1-800-361-5653 for details on the various programs for parents including:

Breastfeeding Support: Telephone counseling, home visits, breastfeeding clinics

Come Grow with Us: On-line education, resource manual for child care providers

Developmental Screening: Checks if a child's development is progressing as expected

Family Visitor Program: Home visits for teaching, parenting support, links to resources

Healthy Babies, Healthy Children Program: Public Health nurses call mothers of new babies upon discharge from hospital to assist with concerns and link them to services

Just for You and Your Baby: Education program for parents of infants up to one year of age

Nobody's Perfect: Parents of children ages 1 to 5 meet in a supportive environment

Prenatal Education Classes: Health education for expectant women and their coaches

Young Parents Groups: Pre and Postnatal support designed to assist young mothers

Transition to Parenting: Support for parents experiencing difficulty in adjusting to change

Who We See: Individuals and families within York Region who are planning to become parents and those who have children under the age of six.

Procedures: We accept referrals from other agencies as long as the client gives consent for that to occur.

The public can access our services directly by calling Health Connection at 1-800-361-5653 - TTY (866) 252-9933

Physical Access: Wheelchair accessible

Languages: English: Some Chinese programs are offered.

Telephone interpreter support is available for over 150 languages.

Last Updated: September 13, 2006

Justice

**Victim Services of York Region
Victim/Witness Assistance Program
York Region Crown Attorney's Office
York Regional Police**

Victim Services of York Region Inc.

Address: 4891 Hwy 7 East, Unit 12A, Box 243
Markham, ON. L3R 1N1

Location: Service provided at home, hospital, police station or crime scene upon police request and presence

How To Contact Us: Phone 905-474-2955
Fax 905-513-7933
Website www.victimservices-york.org
E-mail victimservices@yrp.ca

Commitment: Victim Services of York Region Inc incorporates, amongst its main principles, the principles of the Victims' Bill of Rights, 1995.

Victims should be treated with courtesy, compassion and respect for their personal dignity and privacy. Victim Services is committed to working with the police, social service agencies, municipalities, community and other local organizations to promote the development of an integrated service delivery framework for providing assistance to persons victimized by crime or tragic circumstance.

Victim Services is committed to providing equal treatment for all people accessing our services, while being sensitive to the issues of race, ethnicity, gender, age, sexual orientation, socio-economic status and or abilities of individuals.

We Will: We will, within the mandate of our services, work in partnership with York Regional Police, Ontario Provincial Police, social services agencies, municipalities, community and other local organizations to promote the development of an integrated services delivery framework for providing assistance to victims, including the provision of safety planning for victims where necessary.

We will provide equal treatment for all people accessing our services, while being sensitive to the issues of race, ethnicity, gender, age, sexual orientation, socio-economic status and or abilities of individuals.

Accountability: Concerns regarding the quality or nature of our service can be directed to the Executive Director of Victim Services.

Hours of Operation: 24 hours a day, 7 days a week

Service is provided free of charge. We are a not-for-profit, charitable agency.

What We Do:

- Provide immediate 24 hour crisis assistance to victims of domestic violence by attending the scene, a victim's home, the police station or the hospital if referred by York Regional Police or the Ontario Provincial Police

- Provide emotional support and practical assistance to the victim, family members and witnesses
- When required and safe, provide transportation for the victim to the Police Station, Hospital, Shelter or home.
- Explain police procedures and ensure the victim is prepared for any actions throughout the process while acting as a liaison between Police investigator and victim.
- Provide information about medical proceedings again ensuring a referral to the SADV where appropriate.
- Provide the victim with information on safety planning and the availability of safety planning information and assistance within the community.
- Explain court procedures, provide support and assist the victim/witness to undertake their involvement in the court process through a referral with the Victim Witness Assistance Program
- Continue follow up with the victim as needed to ensure connections to the community

Who We See: Victim Services of York Region Inc. provides services to any persons victimized by crime or tragic circumstance.

Procedures: **On-Scene Response**

- Victim Response Teams are on call 24/7 to York Regional Police and Ontario Provincial Police in York Region for on-scene interventions.
- Attendance at a crime scene, police station, hospital or home for interventions for police referrals only.

Telephone Crisis Response

- 24 hour telephone crisis assistance and community referrals to persons victimized by crime or tragic circumstance.
- Follow-up on police attendance for telephone crisis support and community referrals for persons victimized by crime or tragic circumstance.

Support Link Program

This program is designed to offer assistance to persons at high risk of experiencing violence from an intimate ex-partner. Persons at risk of sexual assault, domestic violence and/ or criminal harassment may apply to receive a mobile phone that is pre-programmed to dial 911 only.

This program has three components

- A personal safety plan is developed for the client.

- The client is provided with a mobile phone that is pre-programmed to dial 911.
- The client receives ongoing support, updates and reviews to the Personal Safety Plan.

Physical Access: Wheelchair accessible at each police station

Languages: Interpreters available with multiple languages currently our team represents 27 languages, which is subject to change depending on team.

Last Updated: November 2006

Victim/Witness Assistance Program (VWAP)

Address: 50 Eagle Street West, #2004
Newmarket, ON
L3Y 6B1

Location: Newmarket Courthouse
(Eagle Street West & Yonge Street)

How To Contact Us: Phone 905 853-4818
Fax 905 853-4883
Website www.mag.on.ca

Commitment: To support victims/witnesses of crime within a broader continuum of services. The Victim/Witness Assistance Program is committed to the values of acceptance, self-determination and respect for the individual.

The cultures of individuals, families, groups and communities must be respected, without prejudice.

VWAP endorses and adopts as part of its operational policies, the principals set out in the *Victim's Bill of Rights* that applies to the treatment of victims of crime.

We Will: Provide court-based service to victims/witnesses who are involved in the criminal justice system from the time a charge is laid in criminal court. Most services terminate upon disposition of the criminal case, but may, on occasion, extend to follow up after final disposition.

Client participation is voluntary. VWAP does not discuss evidence with clients.

There is no fee for our services.

Accountability: Any concerns can be directed to the Manager, Victim/Witness Assistance Program York Region

Hours of Operation: 8:30 a.m. – 5:00 p.m. Monday – Friday

What We Do: The mandate of the Victim/Witness Assistance Program is to provide information, assistance and support to victims and witnesses of crime throughout the criminal justice system in order to improve their understanding of, and participation in, the criminal justice process.

Our primary goals are:

- To enhance victim/witness understanding of and participation in the criminal justice process
- To assist the victim/witness to regain a sense of well-being
- To ensure coordination with community support structures for the assistance of victims of crime

Who We See: We see victims/witnesses of:

- Child abuse
- Sexual assault
- Domestic violence (including current, former and same sex partners)
- Elder Abuse
- Families of homicide victims
- Families of criminal negligence causing death
- Hate crimes

We see victims/witnesses with special needs (including sight and hearing impaired, intellectual disabilities).

The most vulnerable victims of crimes of violence listed below will be offered services on a priority basis.

Procedures: Services include provision of information, crisis intervention, needs assessment, referrals to community agencies, ongoing emotional support, advocacy, court preparation and orientation, debriefing and follow up information.

Core services include:

- Early contact by letter and follow-up contact by phone
- Information about the client's case
- Information about the criminal justice process
- Ongoing outreach
- Emotional support including, crisis intervention, advocacy and debriefing
- Needs assessment and referrals to community agencies, including discussion of safety issues and referrals to agencies for comprehensive safety planning
- Liaison with the Crown and Police, including providing information about the client's views
- Court preparation and orientation
- Advocacy
- Information about Victim Impact Statements and the Criminal Injuries Compensation Board
- Providing a safe waiting area for victims/witnesses during court proceedings

* VWAP does not provide child care services.

* VWAP does not provide transportation services.

Physical Access: Wheelchair accessible

Languages: English
Interpreter services available
Hearing impaired services available

Last Updated: September 18, 2006

York Region Crown Attorney's Office Ministry of the Attorney General

Address: 50 Eagle Street West
Newmarket, Ontario

Location: Newmarket Courthouse (Eagle and Yonge)

How To Contact Us: Phone 905 853-4800
Fax 905 853-4849
Website www.mag.on.ca

Commitment: Prosecution of all Criminal Code charges. This includes the prosecution of offences defined as domestic violence.

Criminal Code offences include, but are not limited to, homicide, assault, assault causing bodily harm, aggravated assault, sexual assault, uttering threats, forcible confinement, harassment, breaches of court orders, break and enter, mischief.

We Will: See "Commitment" and "What We Do".

Accountability: Issues can be raised with Lee-Anne McCallum, Assistant Crown Attorney and Lead of the Domestic Violence Unit or Paul Tait, Crown Attorney.

Hours of Operation: 8:30 – 4:30 pm.
Monday – Friday

- What We Do:**
- The mandate of the Crown Attorney's Office is to represent the public interest in all prosecutions. We are not the lawyer for the victim. However, the victim's interests form part of the broader public interest in the course of our dealings with criminal charges. We become involved in a prosecution upon the police or private individuals laying a charge. Part of the role of the victim of domestic violence will be to testify in court as a witness for the prosecution if a charge proceeds to trial. There are some rare exceptions to the victim being a witness and that is determined on a case-by-case basis.
 - In carrying out our mandate, we:
 - Provide pre-charge advice to police.
 - Conduct bail hearings.
 - Advise victims of the court process with the assistance of the Victim Witness Office.
 - Provide relevant disclosure to the accused.

- Review charges to determine appropriate resolution.
- Conduct pre-trial meetings with defence counsel, accused and the judiciary.
- Prepare witnesses.
- Conduct preliminary hearings and trials in both the Ontario Court of Justice and Superior Court of Justice.
- Conduct sentencing hearings as part of the trial process.

Who We See: The Crown's office may meet and prepare for trial all witnesses and victims of criminal offences.

Procedures: Victims of domestic violence may become directly involved with members of the Crown Attorney's Office once criminal charges have been laid.

Physical Access: Wheelchair accessible

Languages: English, with interpreter services available

Last Updated: September 29, 2006

Centre.

- Maintaining confidentiality about the woman's whereabouts.

Accountability: In the conduct of their services, all members of York Regional Police are required to adhere to a Code of Professional Ethics and Quality Service Standards. The York Regional Police are required to provide services in accordance with the Police Services Act.

In the conduct of their services, all members of York Regional Police:

- Understand their primary responsibility is to share with the community the responsibility for improving quality of life by safeguarding lives and property, preventing and investigating offences and preserving peace and order.
- Are guided by the Values of the Service, which include integrity, community, respect, accountability, competence, leadership and teamwork.
- Appreciate the importance and responsibility of their positions as a symbol of public faith, adhering to the same standards of conduct that they are bound by duty to enforce.
- Preserve the rights and freedoms of all individuals in accordance with the Canadian Charter of Rights and Ontario Human Rights Code.
- Faithfully administer the law in a just, impartial and reasonable manner to all individuals, regardless of race, national or ethnic origin, colour, religion, gender, age, mental or physical disability, or sexual orientation.
- Understand and encourage continuing awareness of the culturally diverse nature of York Region, remain responsive to community issues and concerns, and are committed to developing and enhancing community partnerships.
- Never permit personal feelings, animosities or friendships to influence professional decisions and actions and refrain from accepting gratuities or favours that may compromise them as individuals or members of York Regional Police.
- Perform their duties within the limits of authority and recognize the importance of consistently enhancing their level of knowledge and competence.
- Ensure good faith in all their actions and respect the confidentiality of any information obtained in the course of duty.
- Remain faithful in their allegiance to Canada and strive to attain excellence in the performance of their duties.

Complaints may be made at any operational division of the York Regional Police. Complaints may also be made in writing to the Chief of Police or the Ontario Civilian Commission on Police Services. In order that the complaint conforms to the provisions of the Police Services Act, the complaint *must be in writing and signed by the person who was directly affected by the incident*. The complaint must normally be made within six-months of the incident that forms the subject matter of the complaint.

Hours of Operation: 24 hours, 7 days a week

What We Do: Service our vast and diverse communities.

Who We See: Anyone.

Procedures: **A GENERAL OVERVIEW:**

- Police are obligated to respond to every domestic violence incident reported. These calls are unpredictable and it is standard practice for at least two officers to attend the scene. Every domestic violence incident is considered a priority call for service and officers will attend even if the initial call is withdrawn.
- When police arrive at the scene of a domestic violence incident, they will quickly conduct an assessment of the situation. If the abused woman requires immediate medical attention an ambulance will be called. If children are in the home, the police will assess if they have been harmed in any way. If either party has children less than 16 years of age, the Children's Aid Society will be contacted.
- Police will separate all parties involved in order to conduct a thorough investigation. If a language barrier exists, police will access official interpreter services or utilize an officer fluent in the language.
- If there are reasonable and probable grounds which indicate a criminal offence has occurred, the offender will be arrested. Police are mandated to do so through provincial legislation.
- When criminal charges are laid, women will be encouraged to provide a statement. If a statement is not provided, police will continue to pursue the investigation to the best of their abilities.
- Photographs of any injuries may be taken immediately at the scene of the assault, the police station or a hospital, and again at the police station 24-48 hours following the assault. The victim may choose to attend The Domestic Abuse and Sexual Assault Care Centre for York Region, located at York Central Hospital, 10 Trench Street, Richmond Hill. This centre has specially trained domestic violence nurses who can provide medical treatment and other forms of support.

- When charges are laid in a domestic violence investigation, the police will complete a Domestic Violence Supplementary Report. This report will capture risk indicators that the police, crown attorney, justice of the peace or judge may take into consideration when determining what the accused's release conditions will be.
- When charges are laid, officers will notify Victim Services of York Region, who will contact the victim and offer additional support including safety planning and referrals to other agencies.
- The Victim/Witness Assistance Program (VWAP) is available to her if criminal charges have been laid. This service provides support and resources and will keep the woman advised on court proceedings.
- The accused will likely be held in custody for a bail hearing. If the accused is released on bail conditions, the Victim Notification Officer from the Newmarket court house will contact the victim and advise of his release conditions.

Physical Access: Wheelchair accessible

Languages: English, with interpreter services available

Last Updated: November 2006

Shelters

**Sandgate Women's Shelter of Georgina
Transitional and Supportive Housing Services of York Region
Yellow Brick House Project Hostel**

Sandgate Women's Shelter of Georgina, Inc.

Address: P.O. Box 248
Sutton West, Ontario L0E 1R0

Location: Permanent facilities in Jackson's Point and Keswick with satellite locations in York Region depending on service demand.

How To Contact Us:

Phone	Emergency Shelter 905 722-3220 TTY 905 722-6223 Community Programs 905 476-8992 Child Witness Program 905 476-8993 Administration 905 722-4043
Toll-Free	24 Hour Crisis/Support Line 1 800 661-8294 Community Programs 1866 625-5910 Child Witness Program 1888 698-8986
Fax	Administration 905 722-8416
Website	www.sandgate.ca

Commitment: Dedicated to providing all women and their children shelter, support and information so they can take steps towards ending abuse in their lives.

We Will: Provide services to women who have experienced violence and their children in and around York Region.

Accountability: Governed by a volunteer Board of Directors.

Hours Of Operation: 24 hours for emergency shelter. Business hours plus scheduled evening/weekend work as required for other programs.

What We Do:

1. Provide emergency, crisis and short term supportive counseling, information and referral services and practical assistance to women and their children.
2. Provide secure emergency shelter to women and children.
3. Promote the establishment and maintenance of respectful, welcoming, non-violent environments at all its facilities.
4. Advocate on behalf of individual women and children.
5. Organize, participate in, and/or support community events and public education initiatives designed to increase individual and community awareness of issues relating to violence against women and children.
6. Advocate for social change which will promote equality for all persons and contribute to the eradication of violence against women and children.

7. The Women's Shelter of Georgina, Inc. is a not-for-profit, charitable organization. The services provided by Sandgate are available to women and their children residing in and around York Region with priority attention to:
 - a. women who have experienced violence and their children
 - b. women residing in our immediate geographical area and their children
8. The Women's Shelter of Georgina Inc. is a feminist organization. Specifically, the organization is women-led and dedicated to providing services for women, by women, within an environment that facilitates empowerment and choice. The agency adopts and promotes a feminist analysis of violence against women.

Who We See: Abused women and their children.

Procedures: Vary from program to program. All programs are voluntary and free of charge.

Physical Access: All three buildings currently housing our programs are fully accessible.

Languages: Urdu, Cantonese, Spanish, Portuguese, Persian, Russian, Polish, Swahili, Italian, Farsi, Dari, Mandarin, German, French, Hindi.

Interpreters available for languages not spoken by staff.

Last Updated: September 2006

Transitional and Supportive Housing Services of York Region Leeder Place Family Shelter

Address: 16715-12 Yonge Street #223
Newmarket, Ontario
L3X 1X4

Location: 18838 Yonge Street
East Gwillimbury, Ontario

How To Contact Us: Phone 905-898-1658
Fax 905-898-6414
Website tshsyr@allstream.net

Commitment: Our mandate is to provide emergency housing services for homeless families with children in York Region. Families can consist of any family grouping and therefore our services are not exclusive to women and children who come from an abusive situation.

This is an inclusive agency and we value the principles of diversity, equity and accessibility.

Our commitment to the homeless families in York Region is grounded in the knowledge that the region is made up of diverse communities which continue to evolve and change over time and that we ourselves are part of this larger community which we serve.

- We Will:**
- Provide emergency shelter to families with children who are homeless and who are seeking to be housed in York Region.
 - Provide practical and emotional support to all members of the family with regards to the issues surrounding their homelessness.
 - Provide the family with the practical means to search for adequate and appropriate housing.
 - Make referrals to other agencies for additional services where appropriate and requested.
 - Work together with other agencies to the benefit of the family.
 - Provide follow up services.

Accountability: All complaints and concerns regarding our services can be directed to the Executive Director. A Board of Directors oversees the agency.

Hours of Operation: 24 hours, 7 days a week

What We Do: We provide emergency shelter for a family for 6 weeks. During this time they will be accommodated in their own bedroom but will share all other shelter facilities with other families. An intake interview will be used to assess the particular needs of the family and goals will be discussed. The ultimate aim will be to find appropriate housing in the community.

Who We See: Homeless families with children in York Region. Currently we can house 4 families at one time but this will be increased to 15 by the end of 2007.

- Procedures:**
- A member of the family may call at any time in order to inquire if space is available at the shelter.
 - A short telephone assessment will be conducted to give the worker an understanding of the circumstances, assess eligibility and make arrangements for the family to come to the shelter.
 - Should the family not be eligible or when the shelter is full, staff will provide alternative options and emotional support.
 - Upon entering the shelter, the family will sign documentation for Ontario Works with regards to the financial responsibility of that agency for the duration of the family's stay at the shelter.
 - The family will be shown around and introduced to staff and other residents and given time to settle in.
 - As soon as possible a more extensive intake is conducted and goals are identified. The family is also introduced to the services they can expect and what is expected of them.
 - A separate housing intake will establish the housing needs of the family.
 - During their stay at the shelter, the adult members of the family will be actively involved in searching for housing. The children will attend a local school.
 - Follow up services will be offered to all residents of the shelter.
 - A discharge interview will be used to identify outcomes and satisfaction with the services received.

Physical Access: Not wheelchair accessible now but will be in the future.

Languages: English, Dutch. Interpretation services available.

Last Updated: September 11, 2006

Yellow Brick House Project Hostel

Address: P.O. BOX 278
Aurora, Ontario
L4G 3H4

Location: Aurora

How To Contact Us: Phone 905 727-0930
Toll-Free 1 800 263-2231
Fax 905 727-7316
Website www.yellowbrickhouse.org
E-mail info@yellowbrickhouse.org

Commitment: We commit to:

- promote and respect diversity, equity, and inclusivity
- demonstrate respect for the abilities, opinions, and needs of women and children
- demonstrate an overarching commitment to confidentiality and safety in relation to the women and children we serve
- bring integrity and compassion to all that we do

- We Will:**
- Provide emergency, crisis and short term supportive counselling in individual and group format, information, referral services, advocacy and practical assistance to women and children;
 - provide secure emergency shelter and transitional housing to women and children;
 - promote the establishment and maintenance of a respectful, welcoming, nonviolent environment at all its facilities it owns or leases;
 - organize, participate in and support community events and public education initiatives designed to increase individual and community awareness of issues relating to violence against women and children;
 - promote and contribute to social change initiatives designed to achieve equality for all persons and contribute to the eradication of violence against women and children.

Accountability: Concerns regarding the quality or nature of the services can be directed to the Manager of Direct Services.

All complaints will be responded to in accordance with YBH's Policy and Procedures Manual.

Hours Of Operation: Emergency Shelter: 24 hours, 7 days a week

Office: Monday – Friday 9:00 a.m. to 4:30 p.m.

Outreach Counseling: Monday – Friday 9:00 a.m. to 4:30 p.m.

What We Do: Emergency Shelter and Crisis Services:

- 24-hour emergency shelter for women and children fleeing abuse
- Immediate crisis counseling on the telephone
- Informal counseling, assessments, and referrals

Outreach Counseling Services:

- “Let’s Talk” Child Witness Program for children who have experienced or witnessed abuse
- Art Therapy for children who have experienced or witnessed abuse
- Counseling and Legal Support for those women 16 or older who are in abusive relationships
- Transitional Housing and Support Counselling for women making the transition to live violence free lives
- Legal and Court Support and Referral Services to provide women with assistance regarding their legal issues
- “When Love Hurts” Group Support Program to provide women with information about abuse and its effects

Reta’s Place:

- “Second stage” apartment building, providing affordable, short term housing to ex-residents of YBH shelter

Public Education:

- Education and awareness programs designed for outreach and violence prevention to and for the larger community

Who We See: We provide services in York Region to women who have experienced violence and abuse, and their children.

Physical Access: Emergency shelter – wheelchair accessible

Languages: English, Greek, Croatian, Gujarati, Serbian, French, Hebrew, Kurdish, Hindi, Ukrainian, Spanish, Arabic, Cantonese, Farsi, Urdu, Italian, Russian, Mandarin, Dari, Dutch, Romanian, Fijian, Turkish

Last Updated: September 8, 2006

Community, Counselling and Support Services

**AIDS Committee of York Region
Addiction Services for York Region
COSTI Family and Mental Health Services
Family Services of York Region
Jewish Family and Child Services
Lance Krasman Memorial Centre for Community Mental Health
Social Services Network of York Region
Women's Centre of York Region
Women's Support Network
York Region Abuse Program
York Support Services Network**

AIDS Committee of York Region (ACYR)

Address: 194 Eagle Street East
Newmarket, ON L3Y 1J6

Location: Just east of Eagle Street and Yonge Street intersection

How To Contact Us: Phone 905-953-0248
Toll-Free 800-243-7717
Fax 905-953-1372
Website www.acyr.org
E-mail acyr@bellnet.ca

Commitment Provide support, education and access to dignified care for people living with HIV/AIDS and those affected by HIV/AIDS.

We Will:

1. Provide education
2. Provide outreach and equitable access to services
3. Provide direct support services, including: counseling, support groups, peer support, information resourcing, referrals, transportation to medical care, emergency funds.

Accountability: All complaints will be responded to in accordance with ACYR's policy and procedures' guidelines.

Hours Of Operation: 8:00 – 4:30 Monday – Friday
(messages are checked regularly during business hours)

What We Do: Provide support, education and access to dignified care for people living with HIV/AIDS and those affected by HIV/AIDS.

Who We See: People living with HIV/AIDS and those affected by HIV/AIDS

Procedures: Address phone inquiries.
Follow Intake and assessment process, client confidentiality agreement and share ACYR contact information.
Inform individuals of the services and programs at ACYR.
Address the needs of individuals seeking ACYR services.
Make referrals to appropriate community partners.
Follow-up to ensure ongoing support.

Physical Access: Wheelchair accessible

Languages: English, Hindi, Tamil, Swahili spoken by staff.

Last Updated: August 23, 2006

Addiction Services for York Region

Address: 15150 Yonge Street
Suite 201
Aurora, Ontario
L4G 1M2

Location: Southwest corner of Yonge and Wellington, across the street from the Aurora Library

How To Contact Us: Phone 905 841-7007
Toll-Free 1 800 263-2288
Fax 905 841-6146
Website www.asyr.ca
E-mail asyr@asyr.ca

Commitment: We will, within the mandate of our services be inclusive and provide equal treatment for all people accessing our services. We will be sensitive to issues related to race, ethnicity, gender, age, sexual orientation, socio-economic status, and/or abilities.

We will use a harm reduction approach.

- We Will:**
- Provide individual and group counseling to females over 12 years of age for substance use / misuse and problem gambling related issues
 - Provide safe withdrawal from substances either in the agency or in the client's home
 - Provide client centered counseling to women using substances and who are pregnant or who have child up to 6 months of age
 - Provide aftercare programs
 - Provide referrals to appropriate external agencies

Accountability: Any concerns can be directed to the Clinical Director / Executive Director as per agency policy and procedures. All concerns will be addressed in a timely manner.

Hours of Operation: Monday to Friday: 9:00 a.m. to 5:00 p.m.
Evening groups available

- What We Do:**
- Assist clients withdraw from substances
 - Assessment of substance use / misuse
 - Individual and group counseling
 - Refer to internal and external programs

Who We See: Individuals and families over the age of 12 years

- Procedures:**
1. Contact Intake Worker at (905) 841-7007, Ext. 322
 2. Orientation session every Monday evening
 3. Assigned to a counselor for assessment
 4. Referred internally or externally for treatment
 5. Discharge planning

Physical Access: Wheelchair accessible

Languages: English, Francophone, Farsi, Punjabi, Chinese, other languages

Last Updated: August 21, 2006

COSTI Family and Mental Health Services in York Region COSTI Immigrant Services

Address: 7800 Jane Street, Unit #11
Concord, On
L4K 4R6

Location: Vaughan
Jane and Highway 7

How To Contact Us: Phone 905 669-5627
Fax 905 669-1127
Website www.costi.org
E-mail famcounselling@costi.org

- We Will:**
- Provide culturally competent counselling and support to Italian Canadian women and their children experiencing abuse.
 - Provide referrals and resources to assist Italian Canadian women experiencing abuse.
 - Provide a support group for Italian Canadian women experiencing abuse.
 - Provide court accompaniment to Italian Canadian women.
 - In accordance with the Child and Family Services Act, we will notify the appropriate Children's Aid Society if there are any child welfare concerns.
 - Providers for the Partner Assault Response program for Italian-speaking men.
 - Providers for the Partner Assault Program for Italian speaking women.

Accountability: Concerns regarding the quality or nature of the services can be directed to the Senior Clinical Counsellor, COSTI Family and Mental Health Services.

Hours Of Operation: The centre is open Monday through Friday from 8:30 to 4:30.

Evening appointments are available.

Counselling is available by appointment.

- What We Do:**
- Provide culturally sensitive and culturally appropriate counselling, telephone counselling, support, advocacy, and legal information to Italian Canadian women and their children experiencing abuse.
 - Partner Assault Response Program for Italian speaking men and women.

Who We See: Italian Canadian women and children.

Italian Canadian men.

Procedures: **1. Phone Inquiries**

Italian Canadian women who inquire about woman abuse services will be provided phone support, safety planning, and resources with the phone number of the local women's shelter, legal services or an appointment will be scheduled with a domestic violence counsellor.

2. Counselling and Support

Italian Canadian women requesting counselling will receive culturally competent individual counselling, telephone counselling, resources, safety planning and information to make informed decisions about their lives.

3. Therapeutic Group Counselling

Group counselling is available to Italian Canadian women to reduce isolation, and to develop emotional support networks.

4. Partner Assault Response Program

Italian Canadian men are referred to the program through a centralized intake process. Volunteer Italian speaking men are also accepted after an initial assessment is complete.

Partner contact is provided in Italian.

Italian speaking women are referred to the program through a centralized intake process.

Physical Access: Enter through Unit 11, wheelchair accessible

Languages: Italian, English

Last Updated: November 2006

Family Services of York Region

Address: Head Office:
1091 Gorham Street, Unit 202, Newmarket, On. L3Y 7V1

(see below for other locations)

Location: North East Corner of Gorham and Leslie

How To Contact Us:

Phone	905 895-2371
Toll-Free	1 800 638-9552
Fax	905 895-2389
Website	www.fsyr.ca
E-mail	mking@fsyr.ca

Commitment: We are committed to building strong communities through the provision of counselling, education and support to promote the well being of individuals and families.

We are committed to protect the privacy of our clients in accordance with related legislation.

- We Will:**
1. Inform clients of the benefits and risks of counselling.
 2. Inform clients of their counsellor's credentials and approach to counselling.
 3. Assist clients in making meaningful changes and therefore, improvement in their life situations.
 4. Follow VAW protocol, including the provision of safety planning, information and counselling.
 5. Provide culturally competent counselling to address the service barriers for the diverse communities, including the Lesbian, Gay, Bi-sexual and Transgendered (LGBT) community in York Region.
 6. Provide Chinese language (Cantonese and Mandarin) information and intake phone line.
 7. In accordance with the Child and Family Services Act, notify the appropriate Children's Aid Society if there are any child welfare concerns.
 8. Subsidize VAW clients through funding from the Ministry of Community & Social Services.

Accountability: Concerns regarding the quality or nature of the service can be directed to the Executive Director and/or Clinical Director.

Hours of Operation:

Newmarket Mondays, Wednesdays, Thursdays 9:00 a.m. – 9:00 p.m.
Tuesdays & Fridays 9:00 a.m. – 5:00 p.m.

- Richmond Hill** Tuesdays & Wednesdays 9:00 a.m. – 9:00 p.m.
Mondays, Thursdays & Fridays 9:00 a.m. – 5:00 p.m.
- Markham** Mondays, Tuesdays, Wednesday, Thursdays 9:00 a.m. – 9:00 p.m.
Fridays: 9:00 a.m. – 5:00 p.m.
- Georgina** Mondays 10:00 a.m. – 5:00 p.m.
Tuesdays & Thursdays 9:00 a.m. – 9:00 p.m.
Wednesdays 9:00 a.m. – 6:00 p.m.
Fridays 9:00 a.m. – 5:00 p.m.
- Bradford** Tuesdays: 1:00 pm. – 9:00 p.m. by appointment only

- What We Do:**
1. Focus on the client's strength and resiliency
 2. View the quality of relationship with client as the foundation of counselling work.
 3. Focus on establishing safe relationship environment in counselling.
 4. Invite client collaboration and active participation in the assessment, case planning, and therapeutic process.
 5. Offer individual counselling, and when appropriate and in the absence of on-going domestic violence and abuse, couple and/or family counselling.
 6. Use varieties of evidence based therapeutic approaches in accordance to client's needs.
 7. Facilitate access of community resources and referrals with emphasis in addressing the client's physical safety issues, physical and mental health concerns, and psycho-social needs.
 8. The service has a limit of number of sessions to be offered.

- Who We See:**
1. This is a non-acute services and is by appointment only.
 2. Not appropriate for clients who have significant risk of serious bodily harm to self or others, severe substance dependency or psychiatric disorders, and/or other psychiatric emergencies.
 3. Not appropriate for clients who are in acute domestic violence and child abuse situation.

Procedures: 1. Telephone Intake

- Assessment will be made when Victims/survivors who inquire about counselling to determine the acute nature of the crisis and appropriateness of our service.

- For callers who are in acute crisis, information including phone numbers on community resources and health services as following will be given, and attempt will be made to facilitate the referral process:
 - The Emergency Department of nearby hospital
 - Local women’s shelters
 - Victim Services for crisis support
 - Children Aids Society

Wait list priority is based on seriousness of the client’s presenting concern.

2. Initial Appointment

- Clients will be requested to complete a pre-service outcome questionnaire.
- Clients participate in assessment, identification of service needs, and service plan.

3. Working Phase

- Clients participate in the review of service in intervals of 8 sessions.

4. Termination

Upon the client’s consent, client will be contacted to complete a post-service outcome questionnaire and service satisfaction survey.

Physical Access: Wheelchair access to all locations.

Languages: Service offered in English, Chinese (Cantonese), Farsi, Urdu, Hindi, Punjabi, Yiddish, Hebrew, Spanish and Russian.

Last Updated: September 11, 2006

Other Locations:

Address: 10610 Bayview Ave., Unit 18, Richmond Hill. L4C 3N8
Location: South of Elgin Mills
Tel: 905 883-6572
Toll Free: 1 888 820-9986
Fax: 905 883-6575

Address: 4261 Highway 7, Suite 203, Unionville, ON. L3R 1L5
Location: East of Warden Ave
Toll Free: 1 866 415-9723
Fax: 905 415-9706

Address: 25202 Warden Avenue, Sutton West, ON. L0E 1R0
Location: Warden & Old Homestead
Tel: 905 476-3611
Fax: 905 476-6601

Address: 118 Barrie St., Bradford, ON. L3Z 2B4
Location: Frederick & Barrie St.
Tel: 905 775-2660
Fax: 905 895-2389

Jewish Family and Child Services of Greater Toronto

Address: Main Office

4600 Bathurst Street
Toronto, Ontario
M2R 3V3
416 638 7800

Branch Offices:

York Region Branch

Promenade Circle
Suite 313
Thornhill, Ontario
L4J 4P8

Downtown Branch

750 Spadina Avenue
Toronto, Ontario
M5S 2J2

Adolescent Centre

196 Keewatin Avenue
Toronto, Ontario

Location: York Region branch is located between Clarke and Centre on the west side of Bathurst Street

How To Contact Us: Phone 905-882-2331
Fax 905-882-2355
Website www.jfandcs.com
E-mail info@jfandcs.com

Commitment: Jewish Family and Child Service (JF&CS) is a multi-service, non-profit agency that has been serving the community for more than 135 years. We provide as many as 30 community services from four locations in the Greater Toronto Area.

JF&CS is also a Children's Aid Society for Jewish families. Our services are offered for every age, social and economic background. Service has never been denied because of an inability to pay.

We have provided a Woman Abuse Program since 1986 and provide a spectrum of services that include: crisis and individual counselling, group programming, emergency apartment, advocacy and assistance with social and legal systems, community outreach, education, transitional housing and support program as well as a group program for children who have been exposed to woman abuse.

We Will: Provide these services to women and children who experience abuse:

- Crisis counseling
- Woman abuse assessment
- Safety Planning
- Individual counselling
- Psychoeducational groups
- Group therapy
- Emergency short term housing
- Transitional housing and support worker program
- Children exposed to violence program
- Emergency short term financial assistance

Accountability: Jewish Family and Child Service is committed to offering the best service possible. We recognize the importance of an effective process for the resolution of service complaints and encourage our clients and staff to work together to come to a mutual resolution of any concerns.

JF&CS has a Client Complaint Procedure pamphlet that is distributed to all clients receiving our service

Hours Of Operation: Office:
Monday to Thursday 9:00 a.m. to 8:00 p.m.
Friday 9:00 a.m. to 4:00 p.m.

Emergency after hours for child protection

What We Do: We offer programs and services for children, adults and families.

Who We See: Our community and family services including the Woman Abuse Program is open to all residents of the Greater Toronto area.

Under our mandate as a Children's Aid Society, our child welfare services are provided to Jewish children and families.

The Jerome D. Diamond Adolescent Centre is our children's mental health centre, offering treatment and education programs for young people aged 12 to 17 who are experiencing educational, emotional and/or behavioural problems.

Procedures: Centralized Intake System: Any woman (or anyone) seeking service calls our central number (416) 638-7800.

There is no waiting list for woman abuse services. Women will receive an assessment including safety planning from social workers trained in the area of woman abuse.

Physical Access: Wheelchair accessible

Languages: English, Hebrew, Yiddish, Russian, French, Spanish

Last Updated: November 14, 2006

Lance Krasman Memorial Centre for Community Mental Health

Address: 10121 Yonge Street
Richmond Hill, ON
L4C 1T7

Location: Yonge Street, one block north of Major Mackenzie

How To Contact Us: Phone 905-780-0491
Toll-Free 1-888-780-0724
Fax 905-780-1960
Website www.krasmancentre.com
E-mail postmaster@krasmancentre.com

Commitment: We will, within the mandate of our services be inclusive and provide equal treatment for all people accessing our services. We will be sensitive to issues related to race, ethnicity, gender, age, sexual orientation, socio-economic status, and/or abilities.

- We Will:**
- Provide a drop-in centre for people who experience mental health issues and/or homelessness.
 - Provide emotional support through our Warm Line which runs seven nights per week, from 6pm until midnight where people can call to receive informal emotional support and community referrals 1-888-777-0979.

Accountability: Concerns regarding the quality or nature of the services can be directed to the Executive Director

All complaints will be responded to in accordance with Centre's Policy and Procedures Manual.

Hours Of Operation: Drop-in centre hours: Monday to Wednesday 11-5, Thursday 11-9, Fridays 11-5, Saturdays 12-4 and open on some holidays.

Warm Line: 1-888-777-0979

Confidential and anonymous emotional support and community referrals operated by volunteers, seven nights per week from 6-midnight.

What We Do: We are a psychiatric consumer/survivor drop-in resource centre in Richmond Hill. Our centre serves all of York Region and offers several services and programs including:

- Peer-based supportive counseling
- Support for consumer/survivors
- Support to families and friends of those struggling with mental health issues through the Family and Community

Outreach Program

- A home base and meeting place for self-help groups
- The Self-Help Network of York Region
- Information resources
- Volunteer Opportunities with ongoing training
- The Warm Line: A non crisis peer support line
- A monthly newsletter Bulletin
- Use of the facilities (computers, meeting room, laundry and shower facilities and for those who are homeless, phone/fax/photocopier use)

Who We See: People who experience mental health issues, their friends and families, and people who experience homelessness

Procedures: There are no intake procedures, referral procedures or eligibility requirements

Physical Access: Limited accessibility for wheelchairs

Languages: English

Last Updated: November 14, 2006

Social Services Network of York Region

Address: 5000 Highway 7 East
Markville Shopping Centre
P.O. Box 26507
Markham, Ontario, L3R 9

Location: McCowan Road at Hwy 7 East
North West corner

How To Contact Us: Phone 905-471-7921
Fax 905-474-1281
Website www.socialservicesnetwork.org
E-mail tbhanji@socialservicesnetwork.org

Commitment: Deliver culturally and linguistically appropriate direct services to the South Asian community in York Region through partnerships developed with other service providers.

We Will: Enhance the quality of life of the South Asian community.

Accountability:

- Assist the immigrant community to integrate into mainstream Canadian society through education, training, counseling, referral, information and bridging barriers (to integration).
- Assist and educate the community on healthcare needs.
- Provide family counseling and/or referral services in family crisis situations.
- Identify and resolve problems associated with the duality of cultures for children of immigrants and to provide opportunities for resolving them through education.
- Inform the mainstream Canadian community about the value system of first generation Canadians.
- Raise funds for programs and projects related to achieving the objectives of the organization.
- Strive to provide language and culture specific services as appropriate.

Hours Of Operation: 8.30 a.m. – 4.30 p.m.

What We Do: Enhance the quality of life of the South Asian community.

Who We See: Members of the South Asian community

Procedures: Take programs and services to the South Asian community

Physical Access: Full access

Languages: English, Hindi, Punjabi, Tamil and Gujarati

Last Updated: September 11, 2006

Women's Centre of York Region

Address: 15208 Yonge Street
Suite 1A
Aurora, Ontario
L4G 1L9

Location: One block South of the intersection of Wellington and Yonge Streets in Aurora – On the West side of Yonge Street – In the basement, the door is clearly marked

How To Contact Us: Phone 905-727-5837
Fax 905-727-6736
Website www.wcyr.ca
E-mail admin@wcyr.ca

Commitment: We are a community based, non-profit organization whose sole purpose is to provide women in need with opportunities and tools to improve their lives. WCYR is a welcoming, safe place where all women can go, without fear of judgment, to get the help they need to make positive changes in their lives.

We Will: WCYR provides Transitional and Housing Support Services to women who have left, or wish to leave, abusive situations; Individual Counselling; Life Skills groups (the “Making Changes” group); Counselling Groups; a Poverty Relief program (including a clothing room and supplemental food bank); and an Entrepreneurial Development program (Enterprising Women) that provides practical business training to women who are looking to start their own business. There is an intake process for all WCYR services.

Accountability: WCYR is accountable to the women we serve, and our community.

Concerns regarding the quality or nature of the services can be directed to the Executive Director.

Hours of Operation: The Centre is open Monday to Thursday 9:00 a.m. to 4:30 p.m.

The Food Bank is open Tuesday to Thursday 10:00 a.m. to 3:30 p.m.

What We Do: WCYR provides women in need with opportunities and tools to improve their lives, including Transitional and Housing Support, Individual Counselling, Poverty Relief services and Entrepreneurial development.

Who We See: We see all women requesting service. An information session and/or intake will be scheduled with the woman at the time of her first contact with the Centre. Upon completion of the intake process the woman will begin receiving the direct service(s) she wishes, and/or be placed on a waiting list for service if a waiting list exists. (There is usually a waiting list for Individual Counselling – there is not, usually, a waiting list for

any other Centre services.)

Procedures: An information session and/or intake will be scheduled with the woman at the time of her first contact with the Centre (in person or over the phone).

Upon completion of the intake process the woman will begin receiving the direct service(s) she wishes, and/or be placed on a waiting list for service if a waiting list exists. There is usually a waiting list for Individual Counselling – there is not, usually, a waiting list for any other Centre services.)

Specific policies and procedures of the Centre will be discussed with the woman at the time of intake.

Physical Access: The Centre is not wheelchair accessible – it is in a basement and there are stairs. That being said:

- the locations of the groups (Making Changes & Counselling group), and the Enterprising Women program are fully accessible;
- arrangements can be made to meet women who wish transitional housing and support services and/or individual counselling away from the Centre, in accessible locations around York Region.

Languages: English.

The Centre has access to translation services in order to provide service to women who speak a language other than English.

Last Updated: November 22, 2006

Women's Support Network of York Region

Address: 1110 Stellar Dr. Unit 109
Newmarket, ON
L3Y 7B7

Location: SW Corner of Leslie and Stellar Drive

How To Contact Us: Phone 905 895-3646 Office/Administration
Toll-Free 1 800 263-6734 Crisis Line
Fax 905 895-6542
Website www.womenssupportnetwork.ca
E-mail generalinfo@womenssupportnetwork.ca

Commitment: We are a women-focused agency operating under feminist principles. We provide free, non-judgmental counseling, advocacy and support to victims of sexual violence.

We Will: We will be inclusive and provide equal treatment related to race, ethnicity, age, sexual orientation, socio-economic status, and/or abilities for all women who identify as women accessing our services.

Accountability: Concerns or complaints can be addressed directly to our Board of Directors, marked Confidential. Mail received by the agency addressed Confidential will be forwarded unopened to the Board of Directors.

All correspondence will be responded to in accordance with WSN's Policies and Procedures.

Hours of Operation: Office and administration: Monday to Friday 9am- 5pm

Crisis Line: 24 hours, 7 days a week, 365 days per year

What We Do: We assist women over 16 who are survivors of sexual assault and sexual abuse, past and present, by providing support, advocacy, counseling and information, referrals and education.

High School Outreach Program supports high school students (male and female) with issues around sexual violence, healthy dating relationship and coming out issues.

Who We See: Female survivors of sexual violence over 16 years of age and living in York Region.

Procedures: By Phone. Client self-referral. Agency referrals.

Physical Access: Barrier free washroom; disability parking; wheelchair accessible

Languages: English, Iranian, Ukrainian (in office). Volunteers can speak Polish, Urdu, Hindi, Gujarati, Punjabi, Cantonese, Hebrew, Afrikaans, Ojibway, Italian, French, Farsi, Arabic and Pashto.

Last Updated: August 25, 2006

York Region Abuse Program

Address: 17705 Leslie Street
Unit 12
Newmarket, ON
L3Y 3E3

Location: 1 block north of Davis Drive on the east side of Leslie Street

How To Contact Us:

Phone	905-853-3040
Toll-Free	1-800-263-2240
Fax	905-853-1023
Website	www.yrap2.org
E-mail	yrap@yrap2.org

Commitment: York Region Abuse Program is a community leader committed to eliminating abuse and the barriers associated with abuse. We will actively ensure the availability of services. We will deliver creative and innovative programs through community partnerships, education and advocacy.

York Region Abuse Program offers hope and healing to people affected by childhood sexual abuse.

We Will: Provide individual and group therapy to children, adolescents and adults (female and male) including those who are differently-abled and/or those who identify as lesbian, bisexual, transgender, two spirit and heterosexual from all social, economic, racial, ethnic and religious backgrounds who have experienced childhood sexual abuse.

Make appropriate community referrals.

In accordance with the Child and Family Services Act, we will notify the appropriate Children's Aid Society if there are any child welfare concerns.

Accountability: Concerns regarding the quality or nature of the services can be directed to the Clinical Director, York Region Abuse Program.

All complaints will be responded to in accordance with YRAP's Policy and Procedures Manual.

Hours Of Operation: Office: Monday – Friday 8:30 a.m. – 5:00 p.m.

Group therapy meetings are offered in the evenings.

Please call for further details.

What We Do: Provide individual and group therapy to adult and adolescents who have experienced childhood sexual abuse.

Provide individual and group therapy for children aged 3 – 12 years who have been sexually abused, as well as offer psycho-educational support to their non-offending caregivers.

Who We See: Services provided to children, adolescents and adults (female and male) including those who are differently-abled and/or those who identify as lesbian, bisexual, transgender, two spirit and heterosexual from all social, economic, racial, ethnic and religious backgrounds who have experienced childhood sexual abuse.

Procedures: Persons who inquire about individual or group therapy will be given information over the telephone or in person. If appropriate, a telephone intake will be completed.

Following intake, a face to face assessment meeting is required prior to admittance to service.

Physical Access: Barrier free washrooms and meeting spaces.

Languages: English, interpreters available in multiple languages (including ASL).

Last Updated: September 2006

York Support Services Network

Address: 102 Main Street South, Unit 3
Newmarket, ON L3Y 3Y7

Location: SW of Main Street and Queen, South of Davis Drive

How To Contact Us: Phone (905) 898-6455
Toll-Free 1-866-257-9776
1-888-695-0070 Ext. 574 and Ext. 278
Fax (905) 898-1171
Website www.yssn.ca
E-mail yssnwm@yssn.ca

Commitment: At YSSN, we understand the many issues our clients face -- lengthy waiting lists for services, lack of residential placements and community supports, confusion around what services are available, and challenges in accessing the help that they need. We also are aware of the changing and diverse needs of our region's communities and are committed to meeting those needs.

We Will: Provide case management services for people with developmental disabilities or serious mental health illness to help them achieve personal goals for living, working and learning in their chosen environment.

Provide a range of supports to people who are dually diagnosed with a developmental disability and mental illness. Host to a variety of programs and supports in partnership with service providers in the developmental services sector.

Through 310-COPE, provide a region-wide community crisis response providing a range of supports to people in crisis and their families.

Function as the access mechanism for the developmental services sector.

There is no fee for our services.

Accountability: Concerns can be directed to:

Marie Lauzier, Executive Director

Hours Of Operation: Mon-Fri 8:30am-4:30pm

Crisis Response Service 24 hours a day/7 days a week

What We Do: ACCESS TO YSSN MENTAL HEALTH SERVICES
Phone: (905) 898-3721 or 1-888-695-0070 Ext. 278
Eligibility for service is accessed by Access Workers who also provide time-limited support to address urgent needs.

ADULT SUPPORT SERVICES-DEVELOPMENTAL SERVICES PROGRAM

Phone: (905) 898-3721 or 1-888-695-0070 Ext. 574
Fax: (905) 898-1771
Email: aporretta@yssn.ca

ADULT SUPPORT SERVICES-DEVELOPMENTAL SERVICES PROGRAM

Helps individuals live in the community as independently as possible by assisting them to receive appropriate and necessary community services and encouraging community involvement. Serves adults with a developmental disability living independently or with family.

ADULT SUPPORT SERVICES-MENTAL HEALTH PROGRAM

Phone: (905) 898-3721 or 1-888-695-0070 Ext. 278
Fax: (905) 898-1171
Email: crisis@yssn.ca

Provides individualized case management services to adults with recurrent mental health problems and/or long term psychiatric conditions. Serves adults 16 years and older with serious mental illness.

CHAP PROGRAM- YORK REGION

Email: kdelong@yssn.ca

Eligibility: Families of children with developmental disabilities including autism and or physical disabilities and adults with developmental disabilities.

Application: Through the respite registry coordinator or by accessing the website www.respiteservices.com

Workers registered on the CHAP Worker Bank are connected with York Region families looking for respite support.

CHILDREN'S CASE COORDINATION

Phone: (905) 830-0228 or 1-866-488-2813
Fax: (905) 898-1171
Email: vmerrilees@yssn.ca

The complex social, emotional, developmental and or/physical needs of children, youth and families are addressed by working with service providers to develop a collaborative response to complex needs.

FAMILY SUPPORT SERVICES-DEVELOPMENTAL SERVICES PROGRAM

Phone: (905) 898-3721 or 1-888-695-0070 Ext. 574

Fax: (905) 898-1171

Email: aporretta@yssn.ca

Provides case management services to a child who has a developmental disability through coordination of formal and informal supports. Together, with the child and parents, the worker accesses individual needs and develops a comprehensive service plan. Serves children ages 6-21 with a developmental disability.

SERVICE SYSTEM RESPONSE UNIT

Phone: (905) 898-3721 or 1-888-695-0070 Ext. 574

Fax: (905) 898-1171

Email: aporretta@yssn.ca

Provides a coordinated response within the developmental services sector in York Region to address needs related to crisis, accommodation services, day supports and respite. Also assesses eligibility for case management services and coordinates services to individuals on the wait list.

Who We See: Developmental disability or serious mental illness based on agency assessment or supporting documentation.

Procedures: Persons using our Case Management Services are supported by a Case Manager, who works with them to coordinate formal and informal services to meet their unique needs.

Working in partnership with the recreation sector, the Inclusive Recreation Resource Service focuses on promoting and facilitating the inclusion of all children and adults with a disability for participation in leisure activities of their choosing.

Physical Access: Wheelchair Accessible

Languages: Chinese (Cantonese), English, French, Italian

Last Updated: September 20, 2006

Services for Children and Youth

**York Catholic District School Board
York Region Children's Aid Society**

York Catholic District School Board

Address: 320 Bloomington Road West
Aurora, Ontario
L4G 3G8

Location: The Catholic Education Centre is located NW of Yonge Street and Bloomington.

Almost 100 school sites are located throughout the Region. School maps and boundaries are available for viewing on the Board website at www.ycdsb.ca.

How To Contact Us: Phone 905-713-2711
Toll-Free 1-800 363-2711
Fax 905-713-1288
Website www.ycdsb.ca

Commitment: We are a Catholic Learning Community of collaborative partners called to serve one another by being accountable for quality learning by all, with Jesus as our inspiration.

YCDSB Shared Vision Statement

- We Will:**
- Prepare students for their lives after they leave our Catholic elementary and secondary schools – whether they go to university, college or directly into the world of work.
 - Prepare students so that they may be guided, successfully, on their lifelong journey.
 - Offer different program delivery models and strategies to ensure success for ALL students.
 - Enhance the experiences of the growing number of new immigrant students and their families joining our Board.

- Accountability:**
- All Ontario School Boards are administrated by a Board of Trustees (elected officials who represent the School Board boundary). School Boards are governed by the policies of the Ministry of Education in Ontario.
 - Our York Catholic District School Board is consistently a top performing school board in Ontario standardized Grade 3 and 6 reading, writing and math tests.
 - We are proud to have one of the lowest high school drop out rates in the province.
 - We attract and retain top quality teachers and staff.
 - We have almost 100 schools and we're growing...our schools

have an enviable reputation as great places to work and learn.

Hours Of Operation: School day hours vary.

The Catholic Education Centre (320 Bloomington Road West in Aurora) is open year round.

- What We Do:**
- Elementary education
 - Secondary education
 - “At risk” programming

Who We See: Students and their families

Procedures: Subject to the provisions of the Education Act, all persons having the right of attendance shall be admitted to York Region Catholic elementary schools.

Standard Admission Criteria:

The parent/guardian must provide the following documents for each child to be considered for admission:

- Roman Catholic Baptismal Certificate (child or parent)
- Proof of Status in Canada
- Proof of Residency
- Proof of English Separate School Support, i.e. property tax bill or completed and signed school support forms(s) included in the registration package
- Proof of Age

At the secondary level, all schools (as per the Education Act) are subject to ‘open access.’

Separate School Support form(s), completed and duly signed; or proof of current Property Tax Bill indicating Separate School Support designation at your place of residence.

- The Board’s Policy #204 “**CHILD PROTECTION AND ASSAULT**” requires all of its personnel to fulfill their moral and legal obligations to assist the Children’s Aid Society of York Region. The following statements are **excerpts** from this Policy. The complete Policy is available on the School Board Website under “Policies” at www.ycdsb.ca.
- Proof is not required in order to report a concern to the CAS. The responsibility of investigation lies solely with the CAS.
- When parents/guardian of the child involved are unaware of a referral to the CAS the principal or designate, in consultation with the CAS or police representative, will determine whether,

when, how and by whom parent notification will proceed.

- The duty to report is an ongoing obligation. If an employee has made a previous report about a child and has further protection concerns regarding the same child, the employee must make a further report to the CAS each time they have new information.
- The school principal is responsible for determining access to any child. Legislation and school board policy generally prohibit access to the child in school unless parental consent is given. However, when a child protection concern is reported under Section 72 of the CFSA, the principal of the school has the right to grant permission to interview a child on school premises.
- The police/child protection worker(s) will determine that it may be in the best interest of the child to conduct an interview without the prior knowledge of and in the absence of the parent(s) or guardian(s).
- Referral to the CAS may be based on many different types of situations:
 - The child has suffered physical harm or there is a risk that the child is likely to suffer physical harm.
 - The child has been sexually molested or sexually exploited, or there is a risk that the child is likely to be sexually molested or sexually exploited.
 - The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.
 - The child has suffered emotional harm.
 - The child has been abandoned; the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody.
 - The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property.

Physical Access: Wheelchair accessible

Languages: English. Interpreters available in multiple languages.

Last Updated: October 4, 2006

York Region Children's Aid Society

Address: Box 358, Eagle Street West
Newmarket, Ontario
L3Y 4X7

Location: West of Yonge, on Eagle Street

How To Contact Us: Phone 905-895-2318
Toll-Free 1-800-718-3850
Fax 905-954-1861
Website www.yorkcas.org
E-mail info@yorkcas.org

Commitment: York Region Children's Aid Society (CAS) is a non-profit organization whose mission is to work in partnership with our increasingly diverse community to protect children from abuse and neglect and provide a safe, secure and caring environment.

Accountability: The York Region Children's Aid Society is governed by a board of directors made up of people from the community who have diverse backgrounds and experience but who share a passion and vision for caring for children.

It is the role of the board to oversee the management of the Agency and ensure that services are delivered in accordance with The Child and Family Services Act and according to best practices.

Hours Of Operation: Office hours:
8:45 AM - 5 PM Monday to Friday
9 AM - 4:30 PM July – August

For emergency service after regular office hours, contact
(905) 895-2318 or 1-800-718-3850

What We Do: Children's Aid Societies are mandated by the Child and Family Services Act to:

- Investigate allegations or evidence that children under the age of 16 may be in need of protection;
- Protect children where necessary;
- Provide guidance, counseling and other services to families for protecting children or preventing circumstances requiring the protection of children;
- Provide care for children assigned or committed to its care;
- Supervise children assigned to its supervision;
- Place children for adoption when necessary.

Procedures: Calls to CAS regarding a child may need protection will be put through to a trained child welfare worker.

The worker will ask for some basic information about the child's name, age and whereabouts, and why you are worried about the child's safety.

The worker will determine whether there is a child welfare issue and if there is, will investigate to decide if the child is at risk and needs to be protected by the CAS or is in need of additional community services.

Physical Access: Wheelchair accessible

Languages: English, Chinese, interpreters available in multiple languages

Last Updated: September 11, 2006

Language Services

Multilingual Community Interpreter Services

Multilingual Community Interpreting Services (MCIS)

Address: Administrative Office
1185 Eglinton Avenue East, Suite 605
Toronto, ON
M4C 3C6

Location: Don Valley Parkway and Eglinton Avenue

How To Contact Us: Phone 416-426-7051
Toll-Free 888-236-8311
Fax 416-426-7118
Website www.mcis.on.ca
e-mail mcis@on.ca

Commitment: MCIS is the official language services provider for the police, Victim Services, Domestic Violence Courts, hospital and community based programs in York Region. Through agency referrals, MCIS provides professional interpretation and translation services free of cost. MCIS is funded by the Ministry of Citizenship and is supported by the Ministry of the Attorney General and the City of Toronto through a Federal initiative.

- We Will:**
- Provide professional interpretation and translation services 24 hours each and every day.
 - Provide conference calls, message relay and face-to-face contact at your agency, at another site, or in the client's home.
 - Provide sight translation of key documents and communications.
 - Provide interpretation in specialized fields of health, legal, immigration, child welfare and emergency service sectors.

- Accountability:**
- MCIS is sworn to abide by a Code of Ethics and quality assurance measures are adhered to in accordance with its contractual agreement with the Ministry of Citizenship and other government bodies.
 - All Interpreters are professional assessed in language and interpretation competency in accordance with Ministry standards and are additionally trained in the specializations.
 - Quality assurance measures are in place to guarantee the highest performance in each and every assignment.
 - All interpreters are covered by Errors and Omissions insurance by MCIS to limit any risk of liability.
 - Feedback is welcomed and reviewed by a designated manager. The manager will respond to all feedback in accordance with

directives outlined in the MCIS Policy and Procedures Manual.

Hours Of Operation: Emergency Service: 24 hours, 7 days a week

Office: Monday – Friday 8:30 a.m. to 5:30 p.m.

- What We Do:**
- Specialize in working with victims of violence whether it be domestic violence, family violence, child abuse, elder abuse or families of victims of homicide.
 - MCIS also provides services to the private sector with the same level of quality delivered.
 - Active impartiality, confidentiality and accuracy are provided at each and every assignment.

Who We See: Services are provided to limited as well as non-English speakers.

Procedures: Referrals must be made through a member agency.

Any agency can apply for membership by visiting MCIS website at www.mcis.on.ca.

Physical Access: Not applicable

Languages: Professional interpretation services are offered in 96 languages and numerous dialects.

Last Updated: September 11, 2006

Educational Services

York Region LGBT Community Outreach Project

York Region LGBT Community Outreach Project

Address: 15150 Yonge Street, Suite 201
Aurora, Ontario L4G 1M2

Location:

How To Contact Us: Phone 905-640-5428
Email burman@asyr.ca

Commitment: We will take a systemic and coordinated approach to eliminate discrimination and oppression on the basis of sexual orientation and gender identity within the human service sector in York Region by supporting service sectors to increase their resources/build capacity in the provision of anti-oppression services in York Region.

We Will: Develop and implement collaboratively designed training and education programs to support a comprehensive, culturally appropriate and quality service delivery system to meet the needs of lesbian, gay bisexual, transgender persons (LGBT) and their families in York Region.

Accountability: The Project has been funded for four years by the Ontario Trillium Foundation and is co-partnered by Addiction Services for York Region and Family Services York Region.

Hours Of Operation: Monday - Friday, 9 a.m. to 5 p.m.

Training and education sessions can be arranged for alternate days, times to meet the needs of participants.

What We Do: Provide education and training. The training is broken down into two components. Experiential exercises are focused on examining and challenging those values, attitudes and beliefs which might impact on the ways in which we view LGBT persons and thus affect our ability to work with them. Small group exercises are intended to build on the knowledge and skills of those working in the field. Overall, the day will lead to safety and comfort and will expand the organization's capacity to better serve all clients.

Who We See: We serve the non-profit human service sector across all of York Region.

Training is available to Boards of Directors, front-line and management staff, as well as volunteers and is delivered to groups not larger than 25 people.

Procedures: Inquiries taken via telephone and e-mail.

Physical Access: Training takes place in a space designated by the participating agency.

Languages: English

Last Updated: November 27, 2006

APPENDIX A

Woman's Factual Data Log

Woman's Factual Data Log

Dear client,

The *Woman's Factual Data Log* was developed from a document intended to assist women, which was developed by women who have experienced woman abuse.

It is intended to be a tool to collect and maintain important information for your records. It also allows you to document personal information in one place.

You may be in the process of meeting with many people, such as counselors, lawyers and doctors, about the various aspects of your situation. This information could be helpful to you as it may decrease the stress associated in repeating your story.

You may want to use this Log on your own or with your counselor. In order to protect your privacy and confidentiality, we recommend you keep this information in a safe place – some place where only you have access. Talk with your counsellor about where to keep this information and with whom to share it.

*This document is intended to be a record of factual information. If you wish to keep a personal journal or diary about your thoughts and feelings, please keep it separate from this Data Log. Your journal or diary should be a confidential document. You should not share the information in it or even the existence of it with anyone else. **If others become aware that the woman has a personal journal or diary, it could be subpoenaed for use in court.***

The *Woman's Factual Data Log* is divided into nine parts:

1. Partner Information
2. Police Occurrences Report
3. Legal Information
4. Medical Data
5. Other Important Contacts
6. History of Abuse
7. Record of Abusive Incidents
8. Creating a Safety Plan
9. Other Relevant Information

1. Partner Information

Name:

Address:

Home Telephone

Number:

Occupation:

Employer's Name:

Work Telephone

Number:

Physical Description:

Height:

Weight:

Hair Colour:

Eye Colour:

Other Identifying

Features:

Automobile Description:

Make:

Model:

Year:

Colour:

License Plate:

Province:

Criminal Record:

Yes

No

Describe:

Are there any weapons concerns?

2. Police Occurrences Report

Date:	Officer Name:	Badge #: Occurrence #:
Telephone #: Ext:		
Outcomes:	<input type="checkbox"/> Charged	<input type="checkbox"/> Released
	<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Warning
	<input type="checkbox"/> Referral to Victim Services	<input type="checkbox"/> Other

Date:	Officer Name:	Badge #: Occurrence #:
Telephone #: Ext:		
Outcomes:	<input type="checkbox"/> Charged	<input type="checkbox"/> Released
	<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Warning
	<input type="checkbox"/> Referral to Victim Services	<input type="checkbox"/> Other

Date:	Officer Name:	Badge #: Occurrence #:
Telephone #: Ext:		
Outcomes:	<input type="checkbox"/> Charged	<input type="checkbox"/> Released
	<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Warning
	<input type="checkbox"/> Referral to Victim Services	<input type="checkbox"/> Other

3. Legal Information

Lawyer's Name:

Address:

Telephone Number:

Fax Number:

Notes:

4. Medical Data

Doctor's Name:

Address:

Telephone Number:

Fax Number:

Notes:

5. Other Important Contacts

Name:

Address:

Telephone Number:

Fax Number:

Name:

Address:

Telephone Number:

Fax Number:

Name:

Address:

Telephone Number:

Fax Number:

Notes:

6. History of Abuse

1. When did the first abusive incident take place?
2. When did the last abusive incident take place?
3. Describe the most serious incident of abuse that you suffered?
4. What are the areas in your life that are controlled by your partner? For example, who makes decisions, or decides what happens? What does your partner do to get control in these areas?
5. In hindsight what were the first indicators that there was a problem in your relationship, i.e. jealousy, controlling, isolating?
6. What friends or family can you rely on for help?
7. What do you notice about how your children are affected?

8. Creating a Safety Plan

The following are elements that should be addressed in the development of any safety plan:

- Emergency Escape Plan
- During an Incident
- Creating a Safer Environment
 - At Home
 - In the Neighbourhood
 - At Work
- Emotional Safety Plan
- Children's Safety Plan

Other things I can do:

9. Other Relevant Information

Please remember to keep your notes in a safe place.

*This document should contain factual information only.
Do not include information on your thoughts and feelings in this document,
as it could jeopardize your case if you are in a criminal proceeding.*

Appendix B

Guide for Professionals Who Suspect Woman Abuse



Guide for Professionals Who Suspect Woman Abuse

This guide provides general information for professionals on woman abuse and screening for woman abuse. Many professional colleges and associations also provide information specific to your occupation. You are encouraged to access these resources.

What is woman abuse?

Woman abuse is a pattern of behaviour in which one intimate partner uses physical violence, coercion, threats, intimidation, isolation or emotional, sexual or economic abuse to control the woman in the relationship.

It does not necessarily involve physical violence and it equally affects all members of our society, rich or poor, regardless of race, ethnicity, religion or sexual orientation.

Woman abuse can take the following forms: physical abuse; psychological and emotional abuse; stalking and harassment; forced social isolation; rape, sexual assault, sexual harassment and other forms of sexual violence; financial abuse; spiritual abuse; intimidation and threats; and/or threats of such abuse directed at a woman by a person known to her in an attempt to control her.

Why screen your clients to determine if they are victims of woman abuse?

Given the prevalence of woman abuse in our society, it is likely that some of your clients are in, or have been in, violent relationships. This can affect her safety and well-being, and can also affect the services you provide. For example, a health care professional may be treating an injury that is the result of abuse, or a lawyer may be provide advice on a family law matter, in which woman abuse plays a role.

Screening helps you provide better service to your client. It also allows you to provide information to her that may help change her situation.

Who should screen for woman abuse?

All professionals should screen for woman abuse, including:

- Health care professionals (e.g. physicians, public health nurses, emergency room staff, etc.)
- Mental health professionals
- Physiotherapists
- Dentists
- Lawyers

Who to screen?

All females aged 16 years and older should be screened.

Females under the age of 16 are protected by the *Child and Family Services Act*. As a professional, you have a duty to make a report to the CAS if you have reasonable grounds to suspect that a child is or may be in need of protection.

When to screen?

Routinely screen new clients. Ongoing screening can occur when you regularly update client information.

Routine screening means that inquiry about woman abuse occurs with all women over the age of sixteen, whether or not symptoms or signs are present and whether or not the professional suspects that abuse has occurred.

Women should be asked again when they:

- Begin or end relationships
- Are in the middle of a struggle over child custody or visitation
- Are pregnant
- Have visible physical injuries
- Their partners insist on attending their appointments with them
- Express concern about their partner's alcoholism, drug abuse, "bad temper", or mistreatment of children (or you suspect child abuse)
- Show any of the mental health issues associated with woman abuse, including post traumatic stress disorder, depression, or chemical dependency

How to screen?

Screening should be routine and done in a routine manner.

At a minimum, screening for woman abuse should:

- Be part of your standard intake / initial interview process
- Be part of a face-to-face encounter
- Be direct and nonjudgmental
- Take place in private – no friends or relatives should be present during the screening
- Be confidential – patients should be told of the confidentiality of the conversation and told of the limits of that confidentiality

Ideally, screening should also:

- Be included as part of your written new client questionnaire
- Be conducted in the client's primary language, with use of a professional interpreter when appropriate

Use inclusive language. Avoid gender-specific pronouns and say 'partner' until you know how the client refers to their partner. Woman abuse is not just a heterosexual phenomenon. Lesbian, gay, transgender and bisexual (LGTB) clients may also be abused, and will more easily disclose if they perceive you as accepting of their sexual orientation. *Never* attribute the abuse to the client's sexual orientation or gender identity.

Suggestions for framing the discussion:

When you ask simple, direct, non-judgemental questions as part of your routine client / patient interview it can elicit previously unrecognized risks and histories of violence. You can use the following to introduce your questions:

- Because violence is so common in many people's lives, I've begun to ask all my clients about it.
- I am concerned that some of your symptoms / issues may have been caused by someone hurting you.
- I don't know if this is a problem for you, but some of the women I see as clients / patients are dealing with abusive relationships. Some are too afraid or uncomfortable to bring it up themselves, so I've started asking about it routinely.
- Woman abuse can impact on how I provide services and what type of services I provide. I can also provide

Suggestion for direct questions:

- Are you in a relationship with someone who physically or emotionally hurts or threatens you?
- Has your partner or ex-partner ever hit you or physically hurt you? Has your partner ever threatened to hurt you or someone close to you?
- Do you feel controlled or isolated by your partner?
- Do you ever feel afraid of your partner? Do you feel you are in danger? Is it safe for you to go home?

Responding to disclosures:

If a client discloses being abused:

- Listen to her story in detail and validate her experience.
- Acknowledge her fear, and the risk she takes in speaking with you.
- Recognize and label abusive behavior.
- Treat her feelings of fear, anger, love and hope as legitimate.
- Assume that her choices are rational ones.
- Keep strict confidentiality.
- Leave her in control of decisions that affect her.
- Make her safety your top priority.

You should not provide her with counseling or tell her what you think she should do about the situation. Instead, provide her with information about resources in the community for herself and her children.

ACKNOWLEDGEMENTS:

Preventing Domestic Violence: Clinical Guidelines on Routine Screening,
The Family Violence Prevention Fund, 1999

Guidelines for Mental Health Professionals, NYS Office for the Prevention of
Domestic Violence

Where she can get help:

For advocacy, counseling and referrals 24 hours a day, provide her with the following information:

Yellow Brick House	1-800-263-3247
Sandgate Women's Shelter	1-800-661-8294
Domestic Abuse & Sexual Assault Care Centre (York Central Hospital)	1-800-521-6004 Ext. 3
Women's Support Network	1-800-263-6734
Victim Services of York Region	905-474-2955
Tele-Health Ontario	1-866-797-0000

Explain that she will reach someone who can talk with her about her situation, her safety, and the options available to her.

All conversations are strictly confidential.

In an emergency she should call 911

Where you can get more information:

www.yrvawcc.ca

Appendix C

Sector Responses

PART A: JUSTICE

Victims' Bill of Rights

Police

Victim / Witness Assistance Program

Assistant Crown Attorney

Probation and Parole Services

Linking Police, Crown, V/WAP and Probation

Appendix C: Sector Responses

PART A: JUSTICE Victims' Bill of Rights

Victims' Bill of Rights , 1995 Ontario Ministry of the Attorney General Amended by: S.O. 1999. c. 6, s. 65

Preamble

The people of Ontario believe that victims of crime, who have suffered harm and whose rights and security have been violated by crime, should be treated with compassion and fairness. The people of Ontario further believe that the justice system should operate in a manner that does not increase the suffering of victims of crime and that does not discourage victims of crime from participating in the justice process.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

DEFINITIONS

1. In this act,

“crime” means an offence under the Criminal Code (Canada),

“victim” means a person who, as a result of the commission of a crime by another, suffers emotional or physical harm, loss of or damage to property or economic harm and, if the commission of the crime results in the death of the person, includes:

- a. a child or parent of the person, within the meaning of section 1 of the Family Law Act, and
- b. a dependant, spouse or same-sex partner of the person, all within the meaning of section 29 of the Family Law Act, but does not include a child, parent, dependent, spouse or same-sex partner who is charged with or has been convicted of committing the crime.

Appendix C: Sector Responses

PART A: JUSTICE Victims' Bill of Rights

PRINCIPLES

2. (1) The following principles apply to the treatment of victims of crime:

1. Victims should be treated with courtesy, compassion and respect for their personal dignity and privacy by justice system officials.
2. Victims should have access to information about,
 - i. the services and remedies available to victims of crime,
 - ii. the provisions of this Act and of the Compensation for Victims of Crime Act that might assist them,
 - iii. the protection available to victims to prevent unlawful intimidation,
 - iv. the progress of investigations that relate to the crime,
 - v. the charges laid with respect to the crime and, if no charges are laid, the reasons why no charges are laid,
 - vi. the victim's role in the prosecution,
 - vii. court procedures that relate to the prosecution, the dates and places of all significant proceedings that relate to the prosecution,
 - The outcome of all significant procedures, including any proceedings on appeal,
 - any pre-trial arrangements that are made that relate to a plea that may be entered by the accused at trial,
 - the interim release and, in the event of conviction, the sentencing of an accused,
 - any disposition made under section 672.54 or 672.58 of the Criminal Code (Canada) in respect of an accused who is found unfit to stand trial or who is found not criminally responsible on account of mental disorder, and
 - their right under the Criminal Code (Canada) to make representations to the court by way of the victim impact statement.

Appendix C: Sector Responses

PART A: JUSTICE Victims' Bill of Rights

3. A victim of a prescribed crime should, if he or she so requests, be notified of,
 - i. any application for release or any impending release of the convicted person, including release in accordance with a program of temporary absence, on parole or on an unescorted temporary absence pass, and
 - ii. any escape of the convicted.
4. If the person accused of a prescribed crime is found unfit to stand trial or is found not criminally responsible on account of a mental disorder, the victim should, if he or she requests, be notified of,
 - i. any hearing held with respect to the accused by the Review Board established or designated for Ontario pursuant to subsection 672.38(1) of the Criminal Code (Canada)
 - ii. any order of the Review Board directing the absolute or conditional discharge of the accused, and
 - iii. any escape of the accused from custody.
5. Victims of sexual assault should, if the victim so requests, be interviewed during the investigation of the crime only by police officers and officials of the same gender as the victim.
6. A victim's property that is in the custody of justice system officials should be returned promptly to the victim, where the property is no longer needed for the purposes of the justice system.

Limitations

- (2) The principles set out in subsection (1) are subject to the availability of resources and information, what is reasonable in the circumstances of the case, what is consistent with the law and the public interest and what is necessary to ensure that the resolution of criminal proceedings are not delayed.

Regulations

- (3) The Lieutenant Governor in Council may make regulations,
 - a. Prescribing standards, other than for police services, to be followed in giving effect to the principles set out in subsection (1);
 - b. Prescribing crimes for the purposes of paragraphs 3 and 4 of subsection (1).

Appendix C: Sector Responses

PART A: JUSTICE Victims' Bill of Rights

Same

- (4) Standards for police services may be prescribed under paragraph 1 of subsection 135(1) of the Police Services Act.

No new cause of action

- (5) No new cause of action, right of appeal, claim or other remedy exists in law because of this section or anything done or omitted to be done under this section.

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

Police

In domestic violence (police term which includes woman abuse) cases, the primary responsibility of the police is to investigate all reported cases and determine if there are reasonable grounds to lay charges against the abuser.

If reasonable grounds exist to believe a criminal offence occurred, **police are mandated** to lay charges against the abuser. ***It is not the woman's responsibility or decision to lay charges.***

Enforcing the law against abusers makes them accountable for their behaviour. It also sends the message that assault and other criminal offences are unacceptable to society. Importantly, enforcing the law is a means of increasing the protection of women. The priority in all police investigations of woman assault is the woman's safety and, if she has children, her children's safety. Police ensure women's and children's safety by:

- Laying charges against the abuser when there are reasonable grounds that an assault or another criminal offence has occurred, without intimidating the abused woman or suggesting she speak to the abuser, and without inquiring if she wishes charges be laid.
- Informing women of their legal rights and giving them information about the charges laid against the abuser, and about the abuser's arrest and release conditions, including the services of the Victim/Witness Assistance Program. **It is important for the woman to have information about the criminal proceedings against the abuser for her and her children's safety.**
- Providing women with information about community resources (e.g. counselling agencies, shelters and Victim Crisis Assistance Referral Service).
- Accompanying a woman and her children to a safe place (e.g. women's shelter or family friend) or to her home to retrieve her belongings.
- Cooperating with other systems such as counselling agencies and shelters by providing information about the functions and responsibilities of the police.
- Calling an ambulance or accompanying a woman to a hospital, which may include the Domestic Abuse and Sexual Assault Care Centre.
- Maintaining confidentiality about the woman's whereabouts.

The justice section of the protocol reflects more accurately the typical procedures followed when abuse occurs within an intimate relationship, which includes same-sex partners, current or past, dating relationship, ex-spouses, and people who have had a child in common. There are particular legal procedures when a woman is sexually assaulted outside an intimate adult relationship. For further information about this topic the reader is directed to METRAC's *Sexual Assault Handbooks*, see Appendix A.

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

DOMESTIC VIOLENCE

In accordance with the criminal justice system, police refer to a specific legal definition that includes woman abuse, which they are obligated to follow. This definition varies somewhat from the definition of woman abuse that was defined earlier in this protocol.

Domestic Violence is any use of physical or sexual force, actual or threatened, in an intimate relationship. Intimate relationships include those between the 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.

Although both women and men can be victims of domestic violence, the overwhelming majority of this violence involves men abusing women.

These crimes are often committed in a context where there is a pattern of assaulting and controlling behaviour. This violence may include physical assault, and emotional, psychological and sexual abuse. It can include threats to harm children, other family members, pets and property. The violence is used to intimidate, humiliate or frighten victims, or to make them powerless. Domestic violence may include a single act of abuse. It may also include a number of acts that may appear minor or trivial when viewed in isolation, but collectively form a pattern that amounts to abuse.

Offences related to domestic violence:

According to the Criminal Code of Canada, charges relating to domestic violence may include:

- assault
- murder
- assault with a weapon or assault
- causing bodily harm
- aggravated assault
- sexual assault
- sexual assault with a weapon
- aggravated sexual assault
- uttering threats
- criminal harassment (known as stalking)
- forcible confinement
- kidnapping
- hostage taking
- administer noxious substance
- strangle, choke, suffocate
- fail to comply with condition of recognizance (bail)
- being unlawfully in dwelling-house
- forcible entry
- fail to provide necessaries of life
- harassing telephone calls
- obstruction of justice
- breach of probation
- break and enter with intent
- mischief
- intimidation

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

In addition to Criminal Code offences there are other Provincial Act offences that may apply in a domestic violence situation. Contravention of valid court orders under the Family Law Act, and Children's Law Reform Act in connection with a domestic violence incident are also included.

Charges can also be laid in regards to trespassing, under the Trespass to Property Act. The Trespass to Property Act is a provincial statute, not a federal statute such as the Criminal Code. The penalties for provincial statutes vary from criminal statutes.

STEPS POLICE FOLLOW TO INVESTIGATE DOMESTIC VIOLENCE

There are a number of procedures that the police follow when investigating domestic violence. Each step is explained in detail:

STEP 1. INITIAL RESPONSE

A call comes into the police Communications Centre. The police are dispatched in patrol cars to investigate a domestic violence incident. Police are obligated to respond to every domestic violence related incident reported. This initial reporting can make police the first point of contact in many cases of woman abuse. Call takers and dispatchers working in the Communications Centre will attempt to gather a variety of information on the incident. Some of this information will include the caller's name and particulars, alcohol and/or drug use, injuries, weapons, and previous history of violence. After this information is gathered it is then forwarded to the officers receiving the radio call. Domestic Violence incidents are very unpredictable and it is necessary that officers be provided with as much information as possible in order to ensure the safety of all persons involved. It is standard practice for two officers to attend at every domestic violence incident.

Every domestic violence incident is considered a priority call for service and officers will attend even if the initial call is withdrawn. If there is information indicating that there is a domestic violence history and the police have been called on several occasions, **police will continue to respond to each call with the same response time as a first time call.**

When police arrive at the scene of the domestic violence incident, they will quickly conduct an assessment of the situation. If the abused woman requires immediate medical attention an ambulance will be called. If children are in the home, the police will assess if they have been harmed in any way. Police will separate all parties involved in order to conduct a thorough investigation. If a language barrier exists, police will access official interpreter services. The police will refrain from using children, other family members or family friends as interpreters.

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

STEP 2. INITIAL INVESTIGATION: INTERVIEWING EACH PERSON SEPARATELY

The police begin their investigation by interviewing each of the parties separately. It is important for officers to be aware of the abused woman's emotional and physical condition when they arrive on the scene of an assault. Having just been assaulted, the woman may feel angry, scared, confused, depressed, or physically hurt. Consequently, she may present herself as being defiant, uncooperative, irrational or despondent, which is actually a reflection of her fear for her safety, rather than her attitude towards police officers. Keeping this information in mind, ***the manner in which officers approach abused women is extremely important in making the woman feel safe, and in obtaining an accurate account of what occurred.***

Women may not feel safe reporting domestic violence if the abuser is present in the same room or within earshot. If the abuser is present, it becomes necessary for one officer to accompany the abuser to another room to be questioned away from the victim. The safety of all persons involved in the incident must always be of primary consideration.

The abuser may offer an explanation that differs dramatically from the woman's account, denying that the altercation was an assault against the woman, accusing the woman of fabricating the story, claiming the woman is mentally unstable or hysterical, or arguing that the woman initiated the attack. These are common tactics used by the abusers. In spite of the abuser's explanation, and provided "reasonable grounds" exist, police are mandated to lay a charge.

A common tactic used by abusers is to attempt to have counter charges laid against the abused woman. In the event that the accused seeks to lay counter charges against the abused woman, officers must assess the situation and decide whether reasonable grounds exist to lay such a charge. If a primary aggressor in the incident can be determined, officers will only charge the primary aggressor.

The police need to inform the woman that the abuser may try to lay a charge against her privately.

Conducting an investigation with women who may have language, immigration, or disability concerns

Some women may require an interpreter to assist them in giving their statement. Others may fear their immigration status will be at risk if they give a statement. Police inform these women that:

- there is an official interpreter service known as MCIS (Multilingual Community Interpreter Services) available to the police and woman experiencing domestic violence. Other interpreter services available include AT & T and in some cases police officers fluent in the particular language. It is important that police officers do not use children, family members or family friends as interpreters during an investigation or when responding to a call.

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

- if they are not Canadian citizens but are in the country legally, their status in Canada will not change in any way as a result of their participation in the judicial process
- they will assist them in collecting their documents such as: landed immigrant records, birth certificate, passport, health card and S.I.N. card. If the documents cannot be recovered, police will advise the victim that these documents can be replaced upon application to the appropriate agencies.
- it may be necessary for her to obtain independent legal advice regarding her immigration status in Canada
- they will refer the woman to Victims Assistance to ensure appropriate community services/resources are contacted to assist marginalized women

If children reside in the household police need to:

- inquire about and determine the children's involvement in the domestic violence incident, whether the children were witnesses, direct victims or indirect victims
- ensure the children's safety by calling the Children's Aid Society

The Child and Family Services Act includes a duty to report a child in need of protection. This duty extends to any person, and includes a person who performs professional or official duties with respect to children. Police are directed to call the Children's Aid Society whenever they attend a domestic violence incident where children under the age of 16 are residing. The Children's Aid Society will make the determination as to how they will follow up the case.

STEP 3. LAYING CHARGES

A. Police determine charges should be laid against the abuser

If there is enough evidence or "reasonable grounds" to believe an offence has occurred in relation to domestic violence the police are mandated through provincial legislation to lay a charge. The provincial legislation has also provided guidelines for officers in the Province of Ontario when investigating domestic violence incidents. Police services in the province of Ontario are following these guidelines, which refer to an "Enhanced Domestic Violence Investigation".

During the investigation police will encourage the woman to provide a statement to assist with the investigation. In some incidents there is enough evidence to proceed with charges regardless of the victim providing a statement, but the Enhanced Domestic Violence Investigation that police are currently undertaking does include police

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

encouraging the woman to provide a statement. During prosecution of the charges in court the woman's statement may be the best evidence that is supported by other corroborating evidence. There are a variety of reasons that a woman may not want to provide a statement. The police encourage the woman to voice her concerns regarding the statement and will attempt to do what is necessary to alleviate the concerns. If a woman refuses to provide a statement the police will certainly continue to pursue the investigation of the incident to the best of their abilities under the guidelines of the Enhanced Domestic Violence Investigation.

i) "Reasonable Grounds"

Reasonable grounds are facts or evidence to support the officer's belief that an offence has most likely occurred. Police consider several factors in determining whether reasonable grounds exist to lay charges against the abuser. Some of the factors include:

- the physical injuries sustained by the woman
- the emotional condition of the woman
- the woman's statement that the abuser committed the offence
- statements by any witnesses
- an examination of the dwelling where the offence occurred, which may indicate that the offence took place (e.g. broken furniture, torn clothes, room is in disarray)
- an understanding that if the abuser has injuries it may be from the woman's attempt to defend herself
- the original call for service (911 call)
- previous domestic violence history
- inquiring if the woman had received medical attention for previous domestic violence incidents

ii. Determining "reasonable grounds" in cases where there are no visible physical injuries to the woman

In cases where there are no visible physical injuries to the woman, the woman's verbal statement that an offence occurred may be sufficient for reasonable grounds. The Enhanced Domestic Violence Investigation will again consider all of the above listed points under "*Reasonable Grounds*".

When police have determined "reasonable grounds" exist to lay a charge in relation to domestic violence the abuser will be arrested.

There are situations where the police require additional time to complete their investigation, but once the police have determined there are reasonable grounds to believe an offence has occurred in regards to domestic violence the abuser will be arrested. If the abuser cannot be located, officers will search for the abuser and take the steps to have a warrant issued for the arrest of the abuser.

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

If further time is required for the investigation or the abuser cannot be located, it's imperative that the police inform the woman of the possible risks to her safety, and that she has the option to leave the residence and the police will assist her in locating a place of safety.

B. When police do not lay charges against the abuser

When the police determine there are insufficient grounds to believe an offence has occurred regarding domestic violence and charges will not be laid against the abuser, the police need to provide the woman with information about:

- the lack of grounds to lay charges against the abuser
- the Victim Crisis Assistance and Referral Service (ViCARS). ViCARS will attend the residence and provide short-term crisis intervention. If the woman refuses this assistance, a ViCARS business card noting the officer's name, badge number and incident number will be left. The woman may call this number for referrals later. It is possible the woman may receive a call from ViCARS to follow up and provide referrals.
- additional community services/resources that may assist her, including shelters, counselling and legal assistance
- the officer's names, badge numbers and incident number
- the fact that an incident report will be completed and other precautions on the police resource systems may be taken, including flagging the location of the abuser should the police get a call in the future
- what to do in the future if the abuse reoccurs (i.e. develop a safety plan with the woman or refer her to services that can assist with the safety planning)
- shelters or another place of safety. The police can assist the woman with accessing these locations

Police will not arrest or charge an abuser if there are no reasonable grounds to believe that an offence related to domestic violence has been committed. It is imperative that the police inform the woman of her option to leave the residence, and assist her to safety, if necessary.

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

Additional options for women when police do not lay charges

There are a number of options available to a woman when police do not lay charges including:

- the woman may present her case to a Justice of the Peace, located in the Newmarket Court House, 50 Eagle Street West, Newmarket, in an attempt to lay charges against the abuser
- the woman may apply for a restraining order through the family court
- the woman may apply for interim custody in family court when there are concerns about the safety of the children that she shares with the abuser. It is suggested that women consult with a family law lawyer, legal aid, local shelters or counselling agencies for further information.

STEP 4. ARREST

An arrest is made when the police have detained an individual, which may include taking the person into custody.

When police have determined charges are going to be laid and the abuser has been arrested it is important that the police inform the abused woman that:

- it is the police officer's responsibility to lay charges based on the evidence (it is not her decision). Police are mandated through provincial legislation to lay charges where reasonable grounds exist to believe that an offence has occurred in a domestic violence incident.
- police will explain the laying of charges to the abuser
- police will explain that a statement from the woman would be very helpful with the investigation. The Enhanced Domestic Violence Investigation supports the taking of a sworn video statement. In the near future mobile video cameras will be available to the police so that a video statement may be taken at the actual scene or location of the victim. The use of mobile video cameras can accommodate situations that may not allow a woman to attend the police station for a sworn video statement. The mobile video camera can also assist in capturing possible evidence of the incident at the scene. Verbal or written statements can also be taken from the woman. It is the woman's decision to complete a statement.
- a support person may accompany the victim during the interview. This support person should be aware that they are there for the purpose of support and are not to get involved in or interfere with the taking of the statement.

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

- if she is too distraught to complete a statement, she may do so at a later date
- photographs of her injuries may be taken immediately at the scene of the assault, the police station or a hospital and again at the police station 24-48 hours following the assault
- the victim can choose to attend The Domestic Abuse and Sexual Assault Care Centre for York Region, located at York Central Hospital, 10 Trench Street, Richmond Hill. This centre has specially trained domestic violence nurses who can provide medical treatment and support. The nurse will document injuries and take photos. This evidence can then be provided to the police for their investigation. The nurse can also provide risk assessment, safety planning and follow up counseling.
- they require the woman's assistance in completing the Domestic Violence Supplementary Report. This report provides the officers with information necessary to determine safety issues surrounding the woman.
- they will accompany her to a shelter, if she deems it necessary and stress the importance of bringing her children to the shelter at this time.
- the Victim Crisis Assistance and Referral Service (ViCARS) will attend the residence and provide short-term crisis intervention. If the woman refuses this assistance, a ViCARS business card noting the officer's name, badge number and incident number will be left. The woman may call this number for referrals later. It is possible the woman may receive a call from ViCARS to follow up and provide referrals.
- she should have a safety plan. The police can refer her to services that can assist with a safety plan.
- there are various resources and community services in the area that the woman can access and that the woman will be provided with that information if she requests it
- the Victim/Witness Assistance Program (VWAP) is available to her if criminal charges have been laid. This service provides support and resources and will keep the woman advised on court proceedings.
- the accused will in most circumstances be held in custody for a bail hearing
- if the accused is released on bail conditions the Victim Notification Officer from the Newmarket Court House will contact the woman advising her of the release conditions

It is important for the police to advise the woman of the future risks. Those risks include the abuser continuing the violence, and that the woman should not to take the abuser's word as a guarantee. Many women are not safe from the abuser after police leave the premises. The victim's safety may still be in jeopardy. The first 6 months after a woman leaves the abuser are the most dangerous for her.

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

When the abuser is arrested and taken into custody

When the police arrest the abuser, the abuser is now referred to as the accused. It is important for the police to keep the woman informed of the process that may occur once the accused has been arrested. The Victim/Witness Assistance Program (VWAP) can also assist the woman when criminal charges have been laid. VWAP will attempt to make contact with the woman or the woman can contact VWAP. Once the contact is made VWAP will keep the woman informed of the court proceedings. (It is sometimes difficult for the police to keep the victim informed due to shift work and the officer's caseload).

The majority of domestic violence arrests will result in the accused being held in custody for a bail hearing.

If the accused is not held in custody for a bail hearing the accused may be released on a Form 10 known as a "promise to appear" in conjunction with a Form 11.1 known as an "undertaking". The accused will be released with an agreement to attend court on a set date and the accused will agree to abide by certain conditions. Those conditions may include:

- to remain within a specified territorial jurisdiction
- notifying a designated police officer or unit of any change in address, employment or occupation
- to abstain from communicating directly or indirectly with the woman and any other possible witnesses, or from going to a particular location such as the residence, place of employment or school of the victim and/or witnesses
- to deposit their passport with the police
- to abstain from possessing a firearm and to surrender any firearm or firearm license that enables them to acquire or possess a firearm
- to report at times specified to the police
- to abstain from the consumption of alcohol, other intoxicating substances or drugs
- to comply with any other condition specified to ensure the safety and security of any victim of or witness to the offence

When charges are laid in a domestic violence investigation the police will complete a Domestic Violence Supplementary Report. This report will capture risk indicators that the police will take into consideration when determining the release issues of the accused and most importantly this report can assist the police in determining the safety issues surrounding the woman. This report is a necessary step in the investigation that is relied upon by the police, Crown Attorney and Justice of the Peace or Judge.

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

STEP 5. THE BAIL HEARING

A bail hearing is also known as a show cause hearing or judicial interim release hearing.

According to the Criminal Code, a police officer shall not release a person from custody if the police officer believes on reasonable grounds that:

- the abuser will not show up for court appearances
- more evidence needs to be gathered, secured or preserved
- the abuser's identity is unknown
- there is an indication that the abuser may continue or repeat the offence or the commission of another offence
- there are concerns regarding the safety and security of any victim and/or witness to the offence

Following the arrest of the accused, if the police believe that any of the above conditions are met the accused will remain in custody and the officers will prepare the paperwork necessary for a bail hearing. Taking into consideration the evidence before them and safety issues after consulting with the woman, the police may oppose the accused being released or recommend the release of the accused with certain conditions. The accused will be brought to court within 24 hours of the arrest. At the bail hearing the accused will be brought before a Justice of the Peace or a Judge. After hearing the information from the Crown Attorney and any other witnesses that have testified, the Justice of the Peace or Judge will determine that the accused can be released with conditions or remanded into custody.

Police will:

- inform the woman that a bail hearing will occur
- consult with the woman in order to determine recommendations for release conditions or recommendations that the accused not be released
- inquire about the woman's safety concerns and take this information into consideration when determining detention or release conditions
- inform the woman that she can attend the bail hearing, but she is not required to
- inform the woman that she may speak with the Crown Attorney prior to the bail hearing

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

- explain to the woman whether the police will be opposing the release of the accused or recommending the release of the accused with conditions
- advise the woman that if the accused is released on conditions that the Victim Notification Officer at the Newmarket Court House will contact her and provide her with the conditions of the accused's release (it is suggested the woman provide possible alternate addresses and phone numbers that she can be reached at to ensure she can be contacted and notified)
- advise the victim that if the accused's release includes a condition indicating the accused should not communicate with her directly or indirectly that she should not initiate or receive communication from the accused. **The court has imposed a condition.** The accused will be arrested and charged if an incident is reported to the police and the investigation reveals that the accused has failed to comply with the condition of his bail.
- advise the woman that she can receive court support and referrals from the Victim/Witness Assistance Program (VWAP). The VWAP service is available to all women when criminal charges have been laid against the abuser.
- refer her to the services that can assist her with safety planning

Police Report to the Crown Attorney

Police officers prepare a report for the Crown Attorney. This report is also known as a Crown Brief. The Crown Brief is used for the bail hearing as well as any other court appearances. The Crown Brief includes all the information and evidence the police have gathered during the investigation including:

- the incident report
- information obtained from the interviews with the abused woman, witnesses and the abuser
- statements taken from the abused woman, witnesses and abuser
- photos of the woman's injuries
- any medical/forensic reports pertaining to the incident or other previous incidents
- information regarding any weapons used in the domestic violence incident (can include photos or the actual seized weapon)
- recording of the original call for service

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

- any history regarding domestic violence that the abuser has been involved in (previous charges, convictions, reports)

The woman has the right to read or review any statement she has given the police and ask the police to make any additions or deletions prior to signing the statement.

Appendix C: Sector Responses

**PART A: JUSTICE
Victim / Witness Assistance Program**

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

Victim/Witness Assistance Program Ministry of the Attorney General

The mandate of the Victim/Witness Assistance Program is to provide information, assistance and support to victims and witnesses of crime throughout the criminal justice process in order to improve their understanding of, and participation in, the criminal justice process. The primary goals are:

- To enhance victim/witness understanding of and participation in the criminal justice process;
- To assist the victim/witness to regain a sense of well-being; and
- To encourage the development of community support structures for the assistance of victims of crime.

Services are available to victims and witnesses of crime after charges have been laid. Most services terminate upon disposition of the criminal case, but may, on occasion, extend to follow-up after final disposition. The Victim/Witness Assistance Program (VWAP) is located in the Newmarket Courthouse and can be accessed by victims/witnesses, if they choose, free of charge.

Although the Program is open to all victims or witnesses, VWAP offers services on a priority basis to those who have been most traumatized by crime. The following types of victims will be offered services on a priority basis:

- victims of child abuse
- victims of sexual assault
- victims of partner assault/domestic violence
- families of homicide victims
- families of victims of “impaired causing death”
- vulnerable victims with special needs and,
- elderly victims

VWAP endorses and adopts as part of its operational policies, the principals set out in the *Victims’ Bill of Rights* (included in this document, p. 16) that applies to the treatment of victims of crime.

Scope of services:

Services to clients can be divided into four main categories:

- provision of information on cases before the courts to victims and witnesses to keep them up-to-date on the current status of the cases;

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

- familiarization with the criminal justice process and support services to directly assist victims and witnesses to participate effectively in the criminal justice process while protecting their rights and well-being;
- community coordination of services for victims of crime, and
- community education about the Program and the operation of the criminal justice system.

The Victim/Witness Assistance Program is designed to provide court-based services to victims/witnesses during the criminal court process. It does not provide counseling services and does not provide long-term therapeutic intervention. VWAP has an obligation to the administration of justice, which requires VWAP staff to convey to the Crown Attorney any information that comes to their attention that may affect the administration of justice.

VWAP staff explain the role of the Victim/Witness Assistance Program. At the earliest opportunity, VWAP staff will make clients aware that their information may be forwarded to the Crown Attorney. The Crown Attorney will make a decision whether to forward that information to the Defense.

Although the Victim/Witness Assistance Program and Crown Attorney's Office are both offices of the Ministry of the Attorney General, it is important to note that they are separate and distinct. The relationship between VWAP and the Crown Attorney's Office is, however, cooperative and respectful. VWAP staff can speak with the Crown Attorney's Office at any time on the victim/witness' behalf.

Core Victim/Witness Assistance Program services include:

- Contact client by letter or telephone
- Ongoing outreach to client
- Information about the client's case
- Information about the court process
- Emotional support, including crisis intervention, advocacy and debriefing
- Needs assessment and referrals to community agencies, including discussion of safety issues and referrals to agencies for comprehensive safety planning
- Liaison with the Crown and police, including providing information about the client's views on sentencing
- Court preparation and orientation
- Information about Victim Impact Statements and the Criminal Injuries Compensation Board
- Court accompaniment at the request of clients, resources permitting
- Accompaniment to Crown interviews with clients, at the request of clients, resources permitting

Appendix C: Sector Responses

PART A: JUSTICE Victim / Witness Assistance Program

- Assistance in completing Victim Impact Statements and Criminal Injuries Compensation Board forms at the request of clients, resources permitting
- Providing a safe waiting area for victims/witnesses during court proceedings

Appendix C: Sector Responses

PART A: JUSTICE Crown

Crown ASSISTANT CROWN ATTORNEY

The role of the Crown is to prosecute criminal charges. The Crown's office becomes involved once the police or a private victim has laid a charge.

In prosecuting a matter, the Crown represents the public interest. An Assistant Crown Attorney is not the victim's lawyer, although the victim's interests form part of the broader public interest. The victim of an assault will be a necessary witness at a trial. Therefore, the victim is also a witness. As a witness, the victim does not generally require his or her own lawyer.

The Crown Attorney's Office defines domestic violence as any use of physical or sexual force, actual or threatened, in an intimate relationship. Intimate relationships include those between the 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.

Although both women and men can be victims of domestic violence, the overwhelming majority of this violence involves men abusing women.

These crimes are often committed in a context where there is a pattern of assaultive and controlling behaviour. This violence may include physical assault, and emotional, psychological and sexual abuse. It can include threats to harm children, other family members, pets and property. The violence is used to intimidate, humiliate or frighten victims, or to make them powerless. Domestic violence may include a single act of abuse. It may also include a number of acts that may appear minor or trivial when viewed in isolation, but collectively form a pattern that amounts to abuse.

Criminal Code offences include but are not limited to homicide, assault, assault causing bodily harm, aggravated assault, sexual assault, threatening death or bodily harm, forcible confinement, criminal harassment/stalking, abduction, breaches of court orders, break and enter and property-related offences.

After charges have been laid, sometimes a victim of domestic violence requests that the charges be withdrawn. It is recognized that great pressure may be placed on a victim after charges have been laid to withdraw the charges. As a victim, a victim is not able to withdraw the charges against the person who has been charged (accused). The Crown makes all decisions in a prosecution and only an Assistant Crown Attorney can withdraw charges. Because the victim does not have the discretion to withdraw charges, it is hoped less pressure will be put on the victim to withdraw the charge. The prosecution will not withdraw charges, unless exceptional circumstances exist, or there is no reasonable prospect of conviction.

In York Region, the Crown Attorney's office has a "domestic violence team". The domestic violence team is a group of Assistant Crown Attorneys who have had some specialized training in domestic violence. The domestic violence team maintains a level of expertise and serves as a resource to colleagues.

Appendix C: Sector Responses

PART A: JUSTICE Crown

The Role Of The Assistant Crown Attorney

A victim may make an appointment to speak with an Assistant Crown Attorney. Typically, however, the victim meets initially with the Victim Witness Assistance Program worker and if the victim needs further questions answered, then the worker will schedule a meeting with an Assistant Crown Attorney. If the victim does not have a VWAP worker, the victim may telephone the Crown Attorney's office to request a meeting. Services of the Assistant Crown Attorney's office may include:

- support and reassure the victim about going to court;
- inform the victim of the VWAP if the victim is not already connected;
- listen to the victim's/witness's concerns, and questions, such as his/her safety concerns or concerns about breaches of condition;
- provide the victim with information about the court proceedings, and his/her responsibilities;
- explain the charges and any bail conditions;
- inform the victim of what may take place if the accused is found guilty;
- inform the victim that any information that he/she shares with an Assistant Crown, where it is relevant to the charges, must be disclosed (given) to the defence counsel, who, in turn, may provide it to the person charged;
- inform the victim that only an Assistant Crown Attorney may decide whether to proceed with or to withdraw the charges;
- inform the victim of his/her opportunity to provide a Victim Impact Statement, if the accused is found guilty.

An Assistant Crown Attorney will not take evidence from a victim. If a victim wishes to change his/her original statement, or provide a supplementary statement, the Assistant Crown Attorney will request the victim to speak to the investigating police officer. An Assistant Crown Attorney cannot take a statement because this may cause him/her to become a witness in the proceedings.

Disclosure

Assistant Crown Attorneys have a legal obligation to disclose any relevant information they receive about a case to the accused. Thus, any relevant information provided by a service provider or the victim to the crown about the domestic violence incident must be disclosed by the Crown to the defence. In sexual abuse cases, the Crown does not disclose records as defined in Section 278 of the *Criminal Code*. Section 278 restricts the disclosure of certain private records for which a victim may have a reasonable expectation of privacy, such as

Appendix C: Sector Responses

PART A: JUSTICE Crown

diaries, counselling, or psychiatric records. These records may only be disclosed by order of a Judge following a hearing. The Crown does not disclose the address or phone numbers of victims if they have moved following the incident of violence.

Court Appearances

There may be a series of court appearances for the accused. The victim may attend all court appearances. However, ***the victim is required to attend only the preliminary hearing*** (if there is one), ***and the trial***. During court appearances of the accused, other than the trial or preliminary hearing, the Assistant Crown Attorney, due to the volume of cases in the court, may not be in a position to meet the victim. On such occasions the V/WAP is available to assist the victim. The victim may contact the V/WAP to obtain court date appearances. The V/WAP worker may call if court dates or other information come to their attention on the case.

1a. The Bail Hearing/Judicial Interim Release Hearing

A bail hearing is also called a **show-cause hearing** or a **judicial interim release hearing**. After someone is arrested, the police officer may release the individual and issue an appearance notice, which requires the accused to attend court. Or, the officer may hold the individual in custody for a bail hearing. In cases of domestic violence, the police generally hold an accused person in custody for a bail hearing. The police will bring the accused person to court typically within 24 hours of the arrest for the bail hearing.

At a bail hearing a Justice of the Peace or Judge will decide if the accused person will be released while awaiting the trial, or if the accused must remain in custody pending the trial. To assist the court in making this decision, the Assistant Crown Attorney will review the facts of the case (which have been provided by the police) and the background of the accused, with the court. The facts of the case will include information about the victim including his/her concerns that have been relayed to the police. The Assistant Crown Attorney will make a recommendation to the court about whether the accused should remain in custody or be released pending trial. The lawyer for the accused may also present evidence to the court, and ask the court to consider reasons why the accused should be released. After hearing the submissions of both sides, the Justice of the Peace or Judge will decide whether to detain or release the accused. If the accused is released, the judicial officer must then determine the most appropriate form of release that is often formulated on the basis of recommendations by the Crown and defence.

Appendix C: Sector Responses

PART A: JUSTICE Crown

The most common forms of release include:

- ***A recognizance with sureties and conditions***
(a surety is an individual who agrees to take responsibility for an accused and to ensure that the accused attends court when required and abides by any conditions ordered by the court. If the accused does not abide by the conditions, a surety may forfeit a predetermined amount of money to the court)
- ***A recognizance without sureties with conditions***
- ***An undertaking with conditions***

If it is ordered by the Justice of the Peace or Judge that the accused be released, there may be conditions placed upon the release. When a release order is made, the accused signs it, promising to follow the specific conditions outlined in the release order. Failure to comply with any conditions of a release order is a criminal offence. The accused can be arrested and charged for failing to comply with an undertaking or recognizance. If arrested for failing to comply, an accused will be held in custody for a bail hearing.

Common Conditions in a Release Order (Bail Order) Include:

- a non-contact order in which the accused is ordered to have no contact (physical or verbal) directly or indirectly with the victim. If the accused must have contact regarding children or other household matters, an exception may be made for contact through a third party such as a parent or lawyer;
- the accused may not attend any residence, place of employment or education of the victim. Other locations where the victim frequently attends may be specified. An order prohibiting the accused from attending a particular location will often include a perimeter restriction which states that the accused must not be within a specified distance i.e. 500 m of the location;
- the accused must reside at an address specified by the court;
- if the court allows a change of address, the accused must notify the police within 24 hours of any change of residence;
- an order to surrender all firearms and any firearms license to the York Regional Police;
- an order prohibiting the possession of any firearm, ammunition or explosive substance or any weapon, or firearms license;

Appendix C: Sector Responses

PART A: JUSTICE Crown

- an order directing the accused to report to the police on a regular basis i.e. weekly, monthly;
- an order prohibiting the accused from consuming alcohol (if this appears to have been related to the offence) and/or directing the accused to seek treatment for alcohol/substance abuse;
- an order directing the accused to carry bail papers;
- and order directing the accused to keep the peace and be of good behaviour;
- there may be other conditions included that are particular to each case.

Where an accused has been detained, the Crown can request an order prohibiting the accused from contacting the victim directly or indirectly while he/she is in custody.

The initial order (of detention or release) remains in effect until the completion of the trial, unless the Ontario Court of Justice varies it with the consent of the Crown or by order of a Superior Court. The victim may attend the bail hearing, but is not required to attend. If the victim chooses not to attend, she will be notified of the outcome of the bail hearing, and in the event of a release, of the terms of release by the Crown's office or a police officer. In certain cases the woman may be specifically requested to attend if it is believed the court will not have sufficient information without hearing directly from her.

1b. The Bail Review

The accused or the Assistant Crown Attorney may bring a bail review in a higher court to request that the court change the original bail order. If an accused has been ordered detained in custody until the trial, the accused may bring a bail review to seek release. If an accused does not agree with certain conditions imposed at the bail hearing, a bail review may be sought to have those conditions varied or removed. Where the accused has been released and the Assistant Crown Attorney opposed the release, the Assistant Crown Attorney may bring a bail review to seek to have the accused detained in custody. Only the accused or the Assistant Crown Attorney can initiate a bail review (or a bail variation). A victim cannot initiate a bail review (or a bail variation). If a victim has a concern about a bail order, the victim may advise the V/WAP or the Crown's office of the concern. The Crown will consider any input from the victim in determining if a bail variation or review is appropriate.

In some situations, the victim may also want the variation of the condition where an accused has requested a bail variation (i.e., a non-contact provision). The Crown's office makes the decision on whether or not to consent to any variation to the original bail order. If the Assistant Crown Attorney believes that the accused poses a danger to the safety of the victim, although the victim may desire the variation of a non-contact order, the Crown may not consent to the variation. The victim is often coerced to request a variation of bail or withdrawal of charges, and

Appendix C: Sector Responses

PART A: JUSTICE Crown

any variation is approached with caution. A victim cannot vary any condition by giving permission to the accused to engage in activity contrary to his/her bail.

A victim could be charged for knowingly participating with an accused with the breach of a non-contact order.

2. The Set Date

The set date is sometimes referred to as a remand. The purpose of this court appearance is to determine if the accused will be retaining a lawyer and is ready to set a date for the pre-trial. The first set date generally takes place a few days or a week after the bail hearing. There may be a number of set dates that take place as the accused is attempting to retain a lawyer and prepare for a pre-trial. A victim is not required to attend a set date. The V/WAP worker may notify the victim of the next court date. The victim is encouraged to contact the V/WAP office for updates.

The Assistant Crown Attorney at the set date may not necessarily be the Assistant Crown Attorney who handles the case at the pre-trial or trial. The Assistant Crown Attorney who will prosecute the trial is assigned after the trial date is set. In the most serious cases of domestic violence, an Assistant Crown Attorney is assigned well in advance of the trial, and will arrange to meet with the victim prior to trial.

3. The Pre-Trial

A pre-trial is a meeting between a Judge, an Assistant Crown Attorney and the defence counsel, or a meeting between the Crown and defence only. At a pre-trial, discussions are held to establish if the case can be resolved without a trial. A case is resolved without a trial by either the accused entering a guilty plea, or the Crown withdrawing the charges where there is no reasonable prospect of conviction. If it appears that there will be a guilty plea, the appropriate penalty is discussed. If there will be a trial, a pre-trial assists to determine the length of time required for trial, the witnesses required, and the potential issues at the trial. A victim is not required to attend the pre-trial. The victim may contact the V/WAP to determine the outcome of the pre-trial.

4. The Preliminary Hearing

In most cases of domestic violence there is not a preliminary hearing. A preliminary hearing is only held where the Assistant Crown Attorney has proceeded by indictment. In certain cases, the Assistant Crown Attorney can elect to proceed by indictment or by summary conviction. Where the Assistant Crown Attorney proceeds by indictment, the maximum penalty available for sentencing increases and the accused has the option to be tried in provincial court, or in the

Appendix C: Sector Responses

PART A: JUSTICE Crown

superior court after having a preliminary hearing with a judge and jury, or by a judge alone. Generally, the Crown will only elect by indictment in the most serious cases of domestic violence.

The purpose of the preliminary hearing is for a judge to determine if there is sufficient evidence for a trial to be held. A victim must attend the preliminary hearing, and will be required to testify. When the victim testifies, the victim will be asked about the offence by the Assistant Crown Attorney and by the defence counsel, in the presence of a judge. The accused will be present during the preliminary hearing. If an accused is unrepresented, the accused is entitled to ask the victim questions. If the victim has previously given a videotaped statement, this cannot be admitted in place of testimony. The victim must testify. Both Crown and defence can call other witnesses at a preliminary hearing.

The victim may receive a subpoena to attend the preliminary hearing from the police. The V/WAP worker will also notify the victim about the preliminary hearing. The Assistant Crown Attorney will make every effort to meet with the victim prior to the preliminary hearing.

5. The Trial

The purpose of the trial is for the Judge, or in some cases, the jury, to determine if the accused is guilty "beyond a reasonable doubt". The prosecutor will call all the witnesses who have relevant evidence. This will include the victim and other witnesses to the offence including police officers.

The victim must testify at the trial, even if she has previously testified at a preliminary hearing. Both the Assistant Crown Attorney and the defence counsel will ask the victim questions. If an accused is unrepresented, the accused is entitled to ask the victim questions. After the Assistant Crown Attorney has called any witnesses he/she wishes to call, the defence may call witnesses, which may include the accused.

The accused is not required to give evidence and may choose to remain silent. If the accused does testify, both the defence counsel and the Assistant Crown Attorney will ask the accused questions. On the day of trial there may be more than one trial in the courtroom.

At the completion of the trial, the judge or jury will render a verdict of guilty or not guilty. If there is a finding of guilt there will be a sentencing hearing. If the offender is found not guilty, the Assistant Crown Attorney will explain the verdict to the victim.

Victims should be given an opportunity to attend court at the time of plea and sentence, and should be informed of their right to do so. Victims should be consulted regarding significant decisions made by the Crown with respect to sentence, plea, withdrawal of charges, including any decisions that may result from resolution discussions.

Appendix C: Sector Responses

PART A: JUSTICE Crown

6. Victim Impact Statement

Section 722 of the *Criminal Code of Canada* recognizes that a victim may make an impact statement to be presented at sentencing. A Victim Impact Statement provides information to the court from the victim about the impact of the offence. The victim may provide information about the impact on such things as the victim's emotional, physical and financial well being.

At the earliest opportunity, Crown counsel should ensure that the victim (or family of the victim where a death is involved) knows that a Victim Impact Statement may be made, how to make it and the possible consequences of making it. The V/WAP can provide assistance to a victim in completing a Victim Impact Statement. As part of the Crown's continuing disclosure obligation, a Victim Impact Statement must be disclosed to the accused. If the Victim Impact Statement is filed with the court, it becomes part of the public record of the proceedings. In certain circumstances, a victim may be required to testify about the contents of the Victim Impact Statement. The Crown will recommend that a victim wait until there has been a finding of guilt before completing a Victim Impact Statement.

In the absence of compelling reasons for doing otherwise, Crown counsel will apprise the Court of this information by:

- making oral submissions based on information provided by the victim;
- calling *viva voce* evidence (live evidence); **or**
- filing the written statement by the victim.

The making of a Victim Impact Statement is voluntary and if the victim does not wish to present a Victim Impact Statement to the court, this can be indicated to Crown counsel who can then advise the court that the victim does not wish the court to hear this information.

Where a case has been identified as requiring victim impact information and it appears that a victim has not had an opportunity to respond to a request for victim impact information, Crown counsel appearing on sentencing should attempt to contact the victim with respect to providing information on the issue. If an accused enters a plea of guilty at an early point in the proceedings, Crown counsel should consider requesting an adjournment for sentencing in order to obtain victim impact information. When necessary, interpretation/translation services will be provided to assist with the preparation or presentation of a Victim Impact Statement. The judge will take the Victim Impact Statement into account when deciding the appropriate sentence. Ultimately, it is the sentencing judge who will decide on what the appropriate sentence is, after hearing submissions from both the Assistant Crown Attorney and the defence.

Appendix C: Sector Responses

PART A: JUSTICE Crown

7a. The Sentence Hearing

Sentencing occurs after a guilty verdict is rendered, either after a trial or upon the accused entering a guilty plea. Sentencing may occur on the same day that the court delivers its verdict or it may be delayed. In some cases a probation officer may provide further information in a report to the court about the offender. The report prepared by the probation officer is called a pre-sentence report. The victim may be contacted by the probation officer to obtain her input into the pre-sentence report.

At a sentencing hearing, both the Assistant Crown Attorney and the defence lawyer make "submissions" to the judge regarding the appropriate sentence. The Assistant Crown Attorney will make a recommendation of sentence to the court, taking into account the views of the victim, together with other factors relevant to sentencing such as any prior criminal history of the accused, and the public interest in the deterrence of similar offences.

The judge will take the Victim Impact Statement into account when deciding the appropriate sentence. Ultimately, it is the sentencing judge who will decide on what the appropriate sentence is, after hearing submissions from both the Assistant Crown Attorney and the defence.

The Crown Attorney's office and V/WAP is presently implementing a domestic violence initiative. There are two components to the domestic violence initiative.

Early Intervention Component

The early intervention model is designed for first-time offenders where no injury occurred, no weapon was used, and no significant harm was caused to the victim. The accused receives early attention designed to break the cycle of violence and the victim receives ongoing support and information in the following ways:

- Eligible first offenders can plead guilty and immediately begin to receive counselling through the Partner Assault Response program (PAR), to address their abusive behaviour.
- Victims receive early and ongoing information and support from the Victim Assistance Program (V/WAP). The PAR program also contacts the victim to give ongoing support and to monitor the offender's behaviour for the duration of the program.

Appendix C: Sector Responses

PART A: JUSTICE Crown

Coordinated Prosecution Component

The coordinated prosecution model is designed for cases not meeting the criteria for the Early Intervention component. When the accused chooses to plead not guilty, the specially trained team of police and Crowns work together to provide accountability and consistency in dealing with these cases in the following ways:

- Crowns can be assigned to these cases and follow them through to final disposition. This minimizes the number of Crowns with whom the victim must meet.
- When the case goes to trial, all admissible evidence is presented, such as 911 tapes, photos, videotaped statements and medical records.
- Victims receive early and ongoing information and support from V/WAP staff
- If found guilty, the offender can be ordered to receive counseling through the PAR program to address the abusive behaviour. The PAR program also contacts the victim to give ongoing support and to monitor the offender's behaviour for the duration of the program.

7b. Types Of Sentences

The most common types of sentences in cases of domestic violence include:

- conditional discharge and probation
- suspended sentence and probation
- conditional sentence
- custody/jail and probation

Each of these sentences will be explained in turn.

Conditional Discharge

Where an offender receives a conditional discharge, **the offender is found guilty, but there is no "conviction" registered.** There is a record kept by the police of the finding of guilt, which is accessible if the accused commits another offence. However, **the offender is not considered to have a criminal record.** The effect of a criminal record on employment is sometimes of concern to both the victim and the offender in cases where the offender would lose employment upon receiving a criminal record. If an offender has been approved for the early intervention program, and successfully completes the PAR program, the Crown will recommend a conditional discharge and probation.

Appendix C: Sector Responses

PART A: JUSTICE Crown

Suspended Sentence

When an offender receives a suspended sentence, the offender is found guilty and convicted of the criminal offence. This means the offender will have a criminal record, however, the offender will not serve jail time. A probation order will be imposed in conjunction with a suspended sentence.

Probation

Probation is always imposed with a conditional discharge, or a suspended sentence. Probation may be imposed following a period of custody (jail). There are several conditions that frequently form part of a probation order. They may include:

- no contact with the victim, directly or indirectly
- not to attend at the residence, place of employment, or place of education of the victim
- a direction to attend a Partner Abuse Response Program
- a direction to attend counseling for alcohol or drug abuse
- not to possess any firearm, ammunition or explosive substance, or any weapon
- report to a probation officer as directed by the probation officer

If the offender breaches any terms of a probation order, the offender can be charged criminally with breach of probation. The duration of a probation order can be up to three years.

Prohibition Orders

Section 109 and section 110 of the Criminal Code allow a court to impose a prohibition order. Where an offence of violence has occurred a Judge may impose a prohibition order which prohibits the offender from possessing any firearm, cross-bow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition and explosive substance during a specified period.

Conditional Sentence

If an offender receives a conditional sentence, the offender is sentenced to a term of custody to be served in the community. Similar to a probation order, a conditional sentence will have a number of terms with which the offender must comply. These terms may include a curfew, a non-contact provision with the victim of the offence, or a term prohibiting the offender from leaving their home. A conditional sentence has a set period of duration, which cannot exceed

Appendix C: Sector Responses

PART A: JUSTICE Crown

two years less one day. If an offender violates any terms of a conditional sentence, the offender may be ordered to serve the remainder of the conditional sentence in a custodial facility.

Custody

When an offender is sentenced to custody, it means that the offender will go to jail for a period of time. If an offender is sentenced to an intermittent custodial sentence, it means the offender may serve the sentence in custody on weekends, or on certain days of the week, and be out of custody for the other portion of the week. An offender may only receive an intermittent sentence when the length of the sentence is 90 days or less. An intermittent sentence is usually imposed where the sentencing court believes there is a compelling reason to allow the offender to serve the sentence on weekends, such as to maintain employment. An offender will always be placed on probation while serving an intermittent sentence.

An offender will serve a custodial sentence in a provincial reformatory if a sentence of less than two years has been imposed. An offender will serve a sentence in a federal penitentiary where the sentence is two years or greater. Provided that the sentence is less than two years, a period of probation of up to three years may follow the custodial sentence.

Appendix C: Sector Responses

PART A: JUSTICE Probation and Parole

Probation

Probation and Parole Officers (PPOs) have a key role in linking the criminal justice system with community resources. PPOs have three main roles in working with offenders:

- preparation of pre-sentence reports as ordered by the courts
- assisting with the rehabilitation of offenders through supervision and by referring them to appropriate counselling programs
- supervising offenders so that the conditions of the probation are met

The Pre-Sentence Report

If the court requests a pre-sentence report:

- the police will provide the following information to the PPO (Probation and Parole office), if requested:
 - police synopsis of the current offence
 - offender's criminal record
 - V/WAP will provide, subject to the woman's consent:
 - information to enable the PPO to contact the victim
 - a copy of the victim impact statement

In addition to the standard sections in the pre-sentence report, the PPO will include the following information and comments (subject to receiving the appropriate release of information):

- terms of any existing family court order regarding communication
- restrictions from a current community service placed on the offender
- any assessment and history of prior rehabilitation or counselling
- any appropriate and available program for counselling or rehabilitation
- a recommendation to the court for focused supportable and enforceable conditions
- where the offender is already in a rehabilitative program or counselling program, reference should be made to that specific program in the named agency

Appendix C: Sector Responses

PART A: JUSTICE Probation and Parole

The PPO preparing the report should request a written "Release of Information Form" from the offender, specifying information from any relevant service agency that has had prior involvement.

In the recommendation section of the pre-sentence report, the PPO should address provisions restricting access to the victim, keeping in mind any current prohibitions that may exist. Furthermore, if a recommendation for rehabilitation or counselling as a condition of probation is made, it should be as specific as possible and include that the offender:

- attend, participate in, and complete a rehabilitative program or counselling program as directed by the PPO
- provide proof of participation in the program(s) to the PPO

Additionally, during the interview with the offender, the PPO should discuss the offender's willingness to sign any necessary release of information forms to facilitate rehabilitation and determine the offender's ability/willingness to pay any necessary costs for counselling. The offender's comments on these matters should be reflected in the pre-sentence report.

The probation order or the conditional sentence order

Sentencing may specifically involve probation or a conditional sentence order, which sets out certain conditions the offender must follow. Examples of conditions that may be included on community supervision orders are:

- reporting to a PPO
- not attending within 100 metres of the woman's residence, workplace or place of education
- attend and actively participate in such rehabilitative programs as recommended by PPO (i.e., Partner Abuse Response Program P.A.R., substance abuse programs)
- not associating or communicating with the woman
- requiring the victim's written consent for association or communication with the victim which is revocable by the victim or PPO

Appendix C: Sector Responses

PART A: JUSTICE Probation and Parole

The intake process

The offender reports to a PPO for a complete assessment interview, which is used to develop a supervision plan. As part of the assessment process, the PPO verifies the offender's responses by conferring with collateral sources that may include the woman, the offender's current partner, the investigating police officers, and community professionals. Once the PPO formulates a supervision plan, it is reviewed with the offender. The woman's participation with the PPO is voluntary; she is not obligated to speak to the officer.

PPO's are required to contact the victim, whenever possible, in order to:

- assess the risk to the victim
- support the woman by informing her of community services
- discuss limits of confidentiality (the woman is entitled to know for example, whether or not the offender is in custody, and, if so, the release date, whether or not the offender is on probation and parole or conditional sentence, the parole eligibility date, standard conditions of probation/parole conditional sentence order, specific information pertaining to the victim, and the general geographic area where the abuser has been released from custody). **The PPO cannot discuss the offender's ongoing supervision, and progress or participation in rehabilitation.**
- advise the woman to obtain a copy of the probation order or the conditional sentence order from the court
- make the woman feel comfortable to pose questions and discuss her concerns about the offender's probation order or conditional sentence order.
- provide her with information about any subsequent court proceedings which may involve her
- identify the woman's specific concerns (e.g. offender's access to children)
- obtain the woman's account of the offence
- explain the role of PPO in woman abuse cases, develop a working relationship with the woman so that she knows she can phone the PPO with questions or concerns, provide her with the PPO's name and work telephone number
- inform the woman of the Victim Support Line

Interpretation Services are available when necessary to effectively communicate with non English speaking women.

Appendix C: Sector Responses

PART A: JUSTICE Probation and Parole

The Victim Information Service offers a ***Victim Support Line*** for victims and service providers to get general information about the criminal justice system, supports and services. It also offers specific information about the offender, including when the offender is released from prison, if the offender escapes, or if the offender receives any temporary releases.

There is a provincial victim support line for offenders serving a custodial sentence of 2 years less a day, which is 1-888-579-2888. There is a federal victim support line for offenders serving more than 2 years, which is 1-800-518-8817. Probation services or V/WAP will provide the woman with this information.

Supervision

If one of the conditions of the offender's supervision document is to participate in some form of counselling, it is the PPO's responsibility to refer the offender to an appropriate rehabilitation program and monitor the offender's attendance and participation in that program. ***The PPO maintains ongoing communication with the rehabilitation providers.*** Rehabilitation may include one or more of the following:

- Partner Abuse Response Program (P.A.R.)
- anger management *
- individual therapy *
- substance abuse program
- Sex Offender Intervention Program

If the offender does not attend or has demonstrated sporadic attendance, the PPO will consider various actions to encourage the offender to comply, including a possible failure to comply charge.

* Please see intervention section - Abusers

Enforcement

One of the PPO's responsibilities is to ensure that the offender abides by the conditions of the probation or conditional sentence order. The enforcement of the order is important to try to make every attempt to **ensure the safety of the woman and to make the offender responsible for fulfilling the conditions of the order.**

The PPO may enforce the orders by one or more of the following actions:

- increasing the offender's supervision
- giving the offender a verbal or written warning

Appendix C: Sector Responses

PART A: JUSTICE Probation and Parole

- laying an allegation of breach of a conditional sentence order
- laying a charge of failure to comply with a probation order
- enrolling the offender in a different therapeutic program
- applying for a revocation of a probation order where the offender has been charged and convicted of a new offence during probation (This applies to a probation order that originates from a conditional discharge or a suspended sentence.)

The PPO needs to consider several factors to determine the appropriate enforcement action including:

- the level of risk of harm to the woman, her children, and the community
- the woman's degree of fear of the offender
- any injuries sustained by the woman
- the woman's degree of trauma and/or stress
- the type of violation committed
- the offender's attitude towards violation of orders or degree of wilfulness
- any new charges while on probation or conditional sentence
- the consideration of additional variables particular to the case

Choosing the Appropriate Enforcement Option

When a PPO becomes aware of new allegations of abuse (physical, sexual, threatening and/or harassment) by the offender, or if the woman is at risk, feels at risk or is deemed at risk by the offender, the PPO will ensure that the police are advised immediately. The PPO will also inform the victim of available community supports such as shelters and counselling agencies.

If the offender has violated a condition of the order specific to partner abuse issues, the PPO will take action, which may include a charge of failing to comply with probation or an allegation of breach of a conditional sentence order.

Appendix C: Sector Responses

PART A: JUSTICE Probation and Parole

Parole

Parole is an option to offenders who were sentenced to jail for a term of two years less a day. Parole may be granted to offenders after they have completed one-third of their jail term. After this time, the offender is eligible to complete the remainder of the jail term in the community under the supervision of a parole officer.

The Ontario Parole and Earned Release Board is the governing body that oversees parole requests. Parole is typically granted to those offenders who are less likely to commit another offence, and who do not pose any risk to the woman or community.

The role and responsibility of the PPO is to contact the woman when an offender is applying for parole.

The PPO contacts the woman to:

- inform her that the offender has applied for parole;
- inform her that the offender has the right to read the parole report;
- explain the parole process to the woman;
- explain that she may request, but is not required, to attend the parole hearing;
- assess her concerns, requests, level of risk, safety issues, feelings, and thoughts about the impact of the assault on her;
- discuss the importance of the woman maintaining contact with the PPO;
- discuss the limits of confidentiality (the information the woman shares with the PPO will be kept confidential should the woman request the abuser not be informed of her concerns);
- inform her of her right to complete and submit a victim impact statement to the Ontario Parole and Earned Release Board, and explain to her that she may include her concerns about the offender reading this statement.

Appendix C: Sector Responses

PART A: JUSTICE Probation and Parole

Conditions of Parole

The Ontario Parole and Earned Release Board will consider the woman's requests when determining the conditions of the offender's parole.

The PPO will supervise the offender to ensure the offender is complying with the conditions of the parole.

If the offender does not comply with the conditions:

- the PPO will inform the Board which may authorize a warrant for the suspension of parole;
- if there are reasonable and probable grounds supporting the violation of the conditions, the offender will be arrested and returned to custody;
- the PPO will complete a post-suspension report to be submitted to the Ontario Parole and Earned Release Board; and
- the offender is entitled to a post-suspension hearing before the Ontario Parole and Earned Release Board at which time a decision will be made to either revoke parole or reinstate it.

Appendix C: Sector Responses

PART A: JUSTICE Linking Police, Crown Attorney, V/WAP and Probation

Linking Police, Crown Attorney, Victim/Witness Assistance Program and Probation

There are a number of functions in the legal system, which require the integration of services between the Police, Crown Attorney, VWAP and Probation. The functions that require a coordinated response includes: victim assistance, release conditions, preparation of a case for court, procedures after sentencing, breach of probation conditions, release provisions for a breach of probation and trials for breach of probation.

A. Victim Assistance

When criminal charges have been laid the Police, Crown Attorney and VWAP will work in partnership to ensure that the woman is advised of the various resources that can assist her during the court process. The goal of this partnership is that the woman will be aware of the proceedings surrounding the incident she was involved in, and that she can have input into this process.

B. Release Conditions

1. The Records Bureau of a police service is responsible for inputting information about the offender's charges and release conditions onto a computer program known as the Canadian Police Information Centre (CPIC).
2. The court officer for bail court will screen the custody list for domestic violence charges. The court officer will then obtain a police synopsis of the incident for VWAP. Those identified, as domestic violence cases will be monitored by VWAP staff.
3. If the accused is released or to be released with conditions, the York Regional Police Victim Notification Officer will contact the woman and advise her of the conditions of release. The Victim Notification Officer will work in a coordinated response with VWAP. The majority of women will be notified by the Victim Notification Officer. Copies of the bail conditions can be obtained by VWAP staff to be forwarded to the woman.
4. The recognizance, which states the conditions of release, will be attached to the court information by the court clerk and filed in the court office. The next court date is then recorded on the Integrated Court Offences Network (ICON). The Crown Attorney will record the conditions of release in the Crown Brief.

Appendix C: Sector Responses

PART A: JUSTICE Linking Police, Crown Attorney, V/WAP and Probation

C. Case Preparation

1. The investigating officer will prepare the Crown Brief and send it to the Police Court Office. The Crown Brief will then be forwarded to the Crown Attorney's Office for screening. In the case of a bail hearing the Crown Brief is sent immediately to the Court Office so that it can be available to the Crown Attorney immediately. When disclosure for the incident is requested by the accused or a lawyer this disclosure is available at the Police Court Office.
2. The police officer preparing the Crown Brief will record and include all relevant information and evidence gathered throughout the investigation. The Crown Brief may contain interviews/statements with the victim, accused and witnesses, 911 tapes, medical documents, previously reported incidents and a domestic violence supplementary report. Each Crown Brief contains a checklist that will indicate the evidence and information gathered. The Crown Attorney uses the evidence and information to prepare the case and further information and evidence may be added to the Crown Brief as it is gathered.
3. The police or Crown Attorney will make efforts to advise the woman of VWAP and their role. The Crown Attorney is currently available to meet with victims of domestic violence cases on Tuesdays from 2pm-4: 30pm.

3. Procedures After Sentencing

1. The Court Probation Officer (also known in the Ministry of Correctional Services as the Court Liaison Officer) will attach the original probation order to the arrest synopsis and offender's criminal record. This paperwork will then be sent to the accused's assigned Supervising Probation Office.
2. The Record Bureau of a Police Service receives a copy of the offender's probation order and is responsible for inputting all probation orders and the conditions of probation onto a computer program known as the Canadian Police Information Centre (CPIC).
3. If the offender receives probation, the offender reports to the Probation Officer located in the probation office in the courthouse to review the conditions of the probation order and the legal consequences if the offender violates the conditions. The offender signs the probation order and the court liaison officer witnesses it.
4. The Probation Officer will arrange an appointment or give specific reporting instructions for the offender to attend the local probation office. There is an attempt to have the arrangements made within five days.
5. The woman may request a copy of the probation order (which is a public document) from the court office or VWAP.

Appendix C: Sector Responses

PART A: JUSTICE Linking Police, Crown Attorney, V/WAP and Probation

E. Breach of Probation Conditions

1. When there is sufficient evidence to support a breach of probation in a case of domestic violence, a “Probation Order: non-compliance” charge will be laid. Local arrangements will determine whether this action is taken by the Probation Officer or the Police.
 - (a) If the police are called to the scene where a breach of probation has been reported they will conduct an investigation. If there are reasonable grounds to believe that a breach of probation has occurred the suspect will be arrested and charged with “Probation Order: non-compliance”. The accused may be held for a Show Cause Hearing or released with conditions to appear in court on a future date.
 - (b) In situations where the Probation Officer has first hand knowledge of the offence (such as not reporting or not attending/participating in a group-counselling program), the Probation Officer will initiate charges by way of a summons or a warrant, as appropriate.
2. When a file comes to court as a result of (a) noted above, a designated staff person with the Case Administration Co-ordinator’s office will photocopy the front and back of the Crown Brief which indicates the name of the accused, charges, next court date, and police incident number. This information will be forwarded to the Court Probation Officer to forward to the supervising probation officer.
3. If the police officer determines, on reasonable grounds, that a condition of the probation order exists prohibiting the offender from contact with the woman, and the offender is in contact with the woman - the offender is breaching that condition and may be charged whether or not the woman named in the order consented to the offender’s presence.
4. It is the responsibility of the police officer to confirm that a probation order exists and to confirm the conditions of that probation order. This confirmation is usually verified through the Police Records Bureau where a copy of the Probation Order is on file.

F. Release Provisions For A Breach Of Probation

1. If the supervising Probation Officer is advised of the arrest, a written or verbal summary of the offender’s response to their probation supervision will be provided to the Crown Attorney, and if time permits, the Probation Officer may assist the Crown Attorney with determining release provisions for the accused.
2. In the absence of this information, the police officer in charge of the case will attempt to contact the offender’s Probation Officer or in their absence the Probation Duty Officer who can access the probation file to determine the offender’s response to their probation supervision.

Appendix C: Sector Responses

PART A: JUSTICE Linking Police, Crown Attorney, V/WAP and Probation

3. In consideration of release provisions, the Crown Attorney will take into account the probation officer's comments, the offender's previous record, and the woman's safety concerns.

G. Trial for Breach of Probation

In cases where the Probation Officer has not been involved with laying the charge, the police officer in charge of the case will ensure that information has been provided by the supervising probation officer to the Crown Attorney by way of written submission, verbal report or court appearance.

PART B: SHELTERS

Women's Shelters

Family Shelters

Appendix C: Sector Responses

PART B: SHELTERS Women's Shelters

Women's Shelters

A shelter provides short-term emergency housing for abused women and their children in a safe and secure environment. (Male children over the age of 14 years will be referred to an alternative shelter). Although shelters are well known as providing safety and housing for women and their children, shelter workers also provide other equally important functions including advocacy and support to women and their children. All the services are completely confidential, are accessed on a voluntary basis, and are provided at no cost.

The confidentiality of the women accessing shelter services is paramount to shelters. To that end, most shelters maintain only minimal records on the women, and these data are for the purposes of statistical information.

Responding to non-English speaking women and their children coming from abusive relationships is of the utmost importance to shelters. Shelters, when provided with the resources, provide non-English women and their children with an objective interpreter for all aspects of the shelter's work.

Shelter workers incorporate a feminist perspective into their work and provide a number of services to abused women and their children. These services are designed to:

- provide a safe, supportive, and accepting environment;
- educate women about the power and control dynamics characteristic of an abusive relationship;
- ensure the shelter is safe and secure with specialized security systems particular to each shelter;
- provide crisis intervention and supportive counselling. Crisis intervention may occur over the telephone and/or initially when the woman and her children arrive at the shelter. Over the course of her stay, the woman and her children receive supportive counselling;
- provide appropriate supportive counselling on an individual or group basis for the children from abusive environments;
- increase community awareness on the issues of abused women with an emphasis on holding the abuser responsible for the violence, as opposed to re-victimizing the woman;
- collaborate with community members with the common goal to work towards the elimination of abuse against women and children;

Appendix C: Sector Responses

PART B: SHELTERS Women's Shelters

- support and educate other professionals on the particular issues, dynamics, and myths of abuse in relationships;
- provide support, information, and advocacy for abused women who come into contact with the criminal justice system;
- provide community outreach for abused women not residing in the shelter, including individual and group support;
- be accessible to every woman regardless of race, faith, or spiritual beliefs, languages, cultures, ages, economic situations, geographic locations, abilities (physical, emotional, or developmental), or sexual orientation;
- lobby on an ongoing basis for services to meet the needs of abused women and their children;
- provide 24-hour crisis telephone support and 24-hour on-site support staff;
- provide emergency transportation for abused women and their children;
- devise a safety plan to meet the individual needs of the abused woman and her children;
- refer abused women who may require additional services to the appropriate agencies (i.e. addiction, counselling, etc.).

General Information about Women's Shelters

A common misconception about women's shelters is that they provide housing for women who have only been physically abused. Shelters, however, provide support to all abused women including those who have been emotionally, psychologically, financially, verbally, and/or sexually abused. Women are not required to provide physical indicators of their abuse.

Women seeking shelter service may call directly, or outside support workers may call on their behalf. If an advocate is calling on the abused woman's behalf, it is common practice for shelter workers to ask to speak directly to the abused woman to obtain and to provide necessary firsthand information (e.g. to highlight possible safety concerns, to help her feel connected to the shelter, and to ease her transition to the shelter). The telephone numbers of shelters are located on the front pages of the telephone book.

A woman may seek safety at a shelter as many times as needed. There are no restrictions to the number of times a woman may seek safety at a shelter.

Co-operative living guidelines are in place in shelters. Their living conditions typically include having women care for their own children, and share the responsibility of household chores such as cooking and cleaning.

Appendix C: Sector Responses

PART B: SHELTERS Family Shelters

Family Shelters

In addition to women's shelters, there are also family shelters where women may seek temporary residence with their children. Family shelters provide housing to any family grouping, and are not restricted to homeless women and children. The services are voluntary, confidential, and free to those who qualify for social assistance. If the woman has an income, the funding is based on what she is able to pay.

There is one primary distinction between women's shelters and family shelters. Family shelters do not provide a secure environment for an abused woman the way a woman's shelter does. Family shelters accept referrals from women's shelters for women who do not require a secure environment. Additionally, family shelter workers refer residents to other services, including counselling agencies, employment centres, and housing resource centres, as appropriate to a particular case. A community housing support worker is also on site.

Linking with other services

At the woman's request, shelter workers will work co-operatively with other services on her behalf. Given the often-short lengths of stay at the shelter, it is crucial that other agencies continue to provide services to abused women even after the women have left the shelter. Shelter workers do not serve as the woman's primary case manager.

PART C: HEALTH CARE SERVICES

Appendix C: Sector Responses

PART C: HEALTH CARE SERVICES

Health Care Services

This section recommends general guidelines for health care providers in addressing the issue of woman abuse. It outlines guiding principles in providing comprehensive care. Guidelines on woman abuse, published by individual professional organizations, can also provide further reference.

The Recommended Guiding Principles Are:

- Discuss with women the limits of confidentiality;
- Always screen women in private. Not doing so may place her in further jeopardy;
- Screen for the possibility of abuse with all female clients;
- Provide a safe and supportive environment when screening for abuse;
- Demonstrate a non-judgemental attitude toward the woman and respect her right to self-determination;
- Acknowledge that disclosing the abuse is difficult and courageous. If a woman discloses abuse, do not minimize her experience, blame her, or ignore her disclosure;
- Inquire about the safety of any children. Inform the woman that you are obligated to notify the Children's Aid Society if there is any physical, sexual, emotional harm and/or neglect of children under the age of sixteen;
- Inform her that some forms of abuse are a crime;
- Inform her that she has the right to call the police. Support her choice about when, or if, she involves the police;
- Help her to develop a plan to promote safety for herself and her family or refer her to appropriate community resources;
- If she is in immediate danger assist her in accessing emergency services – please see appendices A and B;
- Be aware that the abused woman may be reluctant to have a physical examination. This sensitivity may be more pronounced if the health care examiner is the same gender as the abuser;
- Never discuss the disclosure of her abuse to others (especially her partner);
- Be sensitive that cultural and/or religious issue may influence the way the woman views abuse and, in turn, may impact her decisions regarding safety planning, separation, and police involvement. Also, it is important not to use children as interpreters for non-English speaking women.

Appendix C: Sector Responses

PART C: HEALTH CARE SERVICES

The role of health care provider in woman abuse cases includes five steps:

- Screen for abuse
- Assessment
- Intervention
- Linking with other services
- Documentation

Screening for Abuse

It is ideal that every woman is screened for abuse as a part of a health assessment since women may not present with an abuse-related complaint or obvious injury. Her interaction with a health care provider can be an opportunity for her to access resources.

Screening women for abuse must be done in a private environment. Do not use children or family members as interpreters for non-English speaking women.

A framing statement such as:

“ Abuse within relationships can have an impact on health, so I ask all my patients about it,”

prepares the patient for the screening questions and demonstrates the concern of the health care professional.

Direct questions about abuse posed to the woman might include:

“ Is there anyone in your home/life that you are afraid of?” *or*

“ Your injuries suggest to me that someone has hurt you. Is that possible?” *or*

“ Is there anyone in your home/life that hits, slaps or otherwise hurts you?”

Assessment

The health care professional's assessment may include:

- assess the frequency, severity and type of abuse
- determine if injuries are a result of the abuse
- assess her support systems
- assess risk of harm to children under the age of sixteen. Refer to the Child and Family Services Act and the Child and Family Services section of this protocol.

Appendix C: Sector Responses

PART C: HEALTH CARE SERVICES

Intervention

When there is a disclosure of abuse, intervention may consist of:

- treating the woman's injuries, if present or encourage her to obtain appropriate medical treatment
- a referral to the Domestic Abuse and Sexual Assault Care Centre of York Region
 - documentation of medical findings such as physical injuries
 - photographs of injuries
 - available 24 hours a day
 - prophylaxis for STDS pregnancy
 - testing for STDS, pregnancy
- help her to develop a plan to promote safety for herself and her family or refer her to appropriate community resources
- discussing a follow-up plan for future contacts with consideration to:
- determining when it is safe for her to talk (e.g. abuser is at work) – follow up
- developing a plan of how to respond if the abuser answers the phone
- determining whether a message can be left on her telephone answering machine and what that message can include
- determining if the woman has specific telephone features such as the ability to redial the last number (the abuser may discover her contact with a particular agency, and may place her at greater risk of abuse)
- determining when she can leave her home.
- informing woman of lack of confidentiality when using Internet
- explaining that when police are called, they are obligated to lay charges if there are reasonable grounds to believe that a criminal offence has occurred, independent of the woman's wishes.

Linking With Community Resources

- It is important that each woman is provided with information about the community services, resources, and supports available to her and her children. With her consent, refer her to appropriate services and assist her in accessing suitable resources. Please see Appendix A for a list of the services available in York Region.

Appendix C: Sector Responses

PART C: HEALTH CARE SERVICES

- Inform her that she can document her current injuries without involving the police by accessing the Domestic Abuse and Sexual Assault Care Centre of York Region, based at York Central Hospital.
- Explain that when police are called, they are obligated to lay charges if there are reasonable grounds to believe that a criminal offence has occurred, independent of the women's wishes.

Documentation

Documentation may include:

- a clear and detailed description of the woman's physical injuries (may include a body map)
- photographs (if photographic equipment and skill are available) of any injuries.
- interventions
- referrals
- follow up recommendations

It is recommended that all health care providers follow the above five areas of care and that each health care agency consider developing their own woman abuse policies based on this protocol.

PART D: INTERVENTION

Abused Women

Children

Abusers

Intervention With Women

The Role Of Intervention

The intervention section of the protocol is intended to provide guidelines to counsellors who are trained and qualified to work with abused women and their families and it is not intended to serve as a primary source of information to counsellors who are not qualified. Counsellors must have the necessary training and supervision to work with and understand the unique issues of abused women, the children exposed to the abuse, and the abusers.

Intervention may consist of assessment and treatment to abused women and/or to the children exposed to the abuse and/or to the abusers. With children, intervention may also include protective services.

- Woman abuse is a crime. It is important for counsellors to understand the legal system sufficiently and work collaboratively with this system to coordinate services for abused women.
- Intervention does not necessarily follow immediately after an abusive episode.
- The impact of abuse can be experienced for many years after the abuse has stopped.
- Abused woman must be able to access interventions at any time.
- Counsellors must understand the nature of trauma and how this impacts the service they are providing.
- It is the abused woman's choice to stay or leave her partner. It is important that counsellors support the woman in whatever choice she makes and resist imposing their position on her.
- Although an abuser may seek treatment, it does not excuse the abuser from the legal consequences of the abusive behavior.
- Treatment does not mean that an abuser has stopped the abusive behavior.
- In counselling, some abusers may not provide indicators that they are abusive, and, in a large percentage of cases, they may present with an opposing persona and display calm, pleasant, and charming characteristics.
- It is important that community agencies that do not offer programmes specific to woman abuse have procedures in place to assess the woman's safety and if she has

Appendix C: Sector Responses

PART D: INTERVENTION Abused Women

children, her children's safety. Procedures should also effectively address the woman's immediate disclosure of abuse.

- All services with respect to the provision of services for abused women are confidential. However, counsellors must inform women of the limits to their confidentiality.
- It is not recommended to conduct couple counselling when woman abuse is occurring.

Interventions For Abused Women

In York Region there are four main interventions that abused women may access:

- Crisis Support
- Individual Counselling
- Groups
- Transitional Support Program

All four share the assessment of (a) determining the level of danger; and, (b) the development of a safety plan.

Abused women can expect the following when accessing *Crisis Support, Individual Counselling and Groups*:

- Enhancing her sense of self and sense of empowerment
- Information regarding her rights
- Dispelling the myths of abuse, such as blaming the victim
- Listening, acknowledging, and supporting her feelings.

In addition to the above, abused women may also expect the following when accessing the *Transitional Support Program*:

- The provision of information about community resources, such as housing, counselling and group services, children's programs, mental health supports, income support, legal support, and food and clothing programs.

In York Region, transitional support is the responsibility of Sandgate, Women's Centre of York Region and Yellow Brick House.

Intervention With Children Children's Aid Society

Important Information about the Children's Aid Society

- The primary role of the CAS is to investigate and, if need be, protect children (under the age of 16 years) who may have been physically and/or emotionally harmed or are at serious risk of being harmed;
- The CAS is available 24 hours a day (7 days a week) for both consultation and investigation purposes;
- Anyone may contact the CAS for a consultation, or present a hypothetical case to request information and direction on the case;
- Referral to the CAS may be done on an anonymous basis, should you prefer.

If there are ever any doubts about the child's safety, consult the Children's Aid Society.

The Role of the CAS, Specifically In Woman Abuse Cases

To determine the appropriate role, the CAS has an obligation, when receiving calls related to woman abuse to ask for the following information:

A. Identifying information of the child(ren)

Could include the following:

1. Name of child(ren) – D.O.B., address of child, name of school, grade.
2. Name of parent(s) – is surname different?
3. All relevant telephone numbers of parents and/or caregivers; this would include emergency telephone number of person to contact.
4. Address of parent(s) if not same as child(ren).
5. Religion.
6. Primary language spoken by child? Parent?
7. Any other persons? i.e. step-parent; grandparent – custody.

Appendix C: Sector Responses

PART D: INTERVENTION Children

B. Information regarding the concerns of the incident that precipitates reporting to the Children's Aid Society

Could include the following:

1. What was seen by whom?
2. What was heard by whom?
3. What is the present physical, emotional, condition of the child(ren)?
4. What questions were asked of the child(ren)?
5. What has been told to the child(ren), action taken prior to the reporter contacting the CAS.
6. Child's level of function? (i.e. disabilities, special needs)
7. Are the parents aware of the referral to the CAS?

C. Does the reporter have knowledge of the relevant incidents/ prior incidents or concerns?

D. Relationship of alleged offender to the child(ren) if not family

Please provide any information you can.

Please note that it is NOT NECESSARY to have all of the above information prior to reporting/consulting with the CAS. DO NOT DELAY THE REFERRAL. However as much information as possible at the time of the referral would be helpful in determining a response/action plan.

This list of information may be seen as a guideline for reporting to the CAS and provide some assistance in collecting information.

REMEMBER reporting suspicion of child protection must be done forthwith. (See guidelines related to DUTY TO REPORT as stated in the Amended Child and Family Services Act s.72(1), s.72(2), s.72(3):

CFSA s.72(1)

If a person has reasonable grounds to suspect that a child is or may be in need of protection, the person must promptly report the suspicion and the information upon which it is based to a children's aid society.

CFSA s.72(2)

The duty to report is an ongoing obligation. If a person has made a previous report about a child, and has additional reasonable grounds to suspect that a child is or may be in need of protection, that person must make a further report to a children's aid society.

Appendix C: Sector Responses

PART D: INTERVENTION Children

CFSA s.72(3)

The person who has the reasonable grounds to suspect that a child is or may be in need of protection must make the report directly to a children's aid society. The person must not rely on anyone else to report on his or her behalf.

Following the Referral to the Children's Aid Society

A report of woman abuse in a family with children under the age of 16 years will result in:

1. If the child(ren) are reported to have been abused prior to, during, or after an incident of woman abuse, the CAS will determine the level of intervention required, up to and including an immediate investigation as required by the CFSA and the Ministry Standards and guidelines:
 - when CAS determines an investigation is warranted, a child protection worker may visit the child(ren)'s home, interview the child(ren), interview the abused woman, collateral contacts such as teachers, counsellors, who may be able to provide additional information about the child(ren)'s functioning;
 - the alleged abuser may also be interviewed by the child protection worker, however, in those instances whereby the Police and CAS are jointly investigating the matter, the Police will determine the process by which the alleged abuser will be interviewed. In some cases Police will interview the alleged abuser, and will provide the CAS with information coming from the interview.
2. If there is no evidence to indicate that the child(ren) have been abused or in need of protection, the CAS will support the woman towards considering options available to her.
3. The child protection worker may:
 - Contact the woman to provide her with support and information (e.g. – Police have an obligation to lay charges where reasonable and probable grounds exist).
 - Provide the woman with information about community resources (e.g. counselling, shelters, Legal Aid, where to apply for financial support).

The role for the children's aid society to ensure safety of the children when a woman has been injured as a result of abuse:

In abusive situations where the woman has been severely injured leaving her incapable of caring for her child(ren), and the alleged abuser has been charged with assault and detained in custody, the CAS is responsible to ensure a safe and viable plan for the children is in place to ensure their safety. The CAS protection worker may consider:

- With parental consent, the child(ren) may be placed with a third party (e.g. family friend, relative) where the child(ren) will be safe from harm during the period of investigation, or until their mother's recovery.

Appendix C: Sector Responses

PART D: INTERVENTION Children

- When the alleged abuser is being detained in custody for a bail hearing, the CAS protection worker may notify the Police of CAS involvement, and may make recommendations regarding the alleged abuser's ongoing contact with or without access to the child(ren) – (e.g. the need to have supervised contact between the child(ren) and alleged abuser or parent).
- When the alleged abuser has been charged, but not detained in custody, the CAS worker will assess the safety of the child(ren) to determine if the child(ren) are safe to remain under the alleged abuser's care when the woman is unable to care for her child(ren) (e.g. due to injury, hospitalization).

Interventions for children exposed to woman abuse:

It is recognized that children exposed to woman abuse may suffer from behavioural, social, and emotional problems that warrant treatment. The possibility that the child may also be a direct victim must be investigated and the priority when working with children is their safety.

Programs for children are essential and fundamental.

In York Region, the primary intervention for children exposed to woman abuse is “*Let's Talk*”. This is a program specifically designed for children and is a group model. It offers concurrent groups for children and their mothers.

The children's group helps them to understand the cycle of abuse and deal with their feelings. The program aims at providing children with a safe and supportive environment where they can talk about their experiences and participate in a variety of activities aimed at assisting them work through their feelings.

The mother's group offers women a chance to discuss how having experienced violence affects their children. They will have the opportunity to connect with other mothers, share resources and learn about the content of the children's program. In addition, they will learn strategies to help support and validate their child/ren, as well as exploring safety issues for their children.

“*Let's Talk*” is offered in collaboration with other agencies in York Region who serve abused women and their children and operates under the guidance of the *York Region Child Witness Program Advisory Committee*. Program Managers may be contacted at Sandgate Women's Shelter and Yellow Brick House.

Intervention With Abusers

General Principles of Practice

- The safety of abused women (and their children) is the first priority of any intervention with abusers.
- Abusive behaviour is a choice and therefore, abusers must be held responsible and accountable for their abusive behaviour.
- Intervention programs for abusers must work as part of a collaborative, intersectoral response with other services and the criminal justice system to enhance accountability.
- Abuse is the sole responsibility of the abuser and therefore, couple counselling is not an appropriate intervention as a response to woman abuse.
- Group intervention is recommended above individual.
- Abusive behaviour is not an anger management problem; therefore, anger management programs are not an appropriate intervention as a response to woman abuse.
- Intervention programs for abusers recognize the right of (ex)partners/survivors to information about their philosophy, content, structure and limitations.
- Intervention programs for abusers must not be used to mitigate the consequences of the criminal justice system.

Partner Abuse Response (PAR) Program

Description and Purpose

The PAR Program has been designated by the Victim Services Unit of the Ministry of the Attorney General to be the provider of counselling services in situations of domestic violence in York Region. The PAR Program is committed to meeting the Partner Assault Response Program Standards developed by the Ministry in consultation with service providers across the province. PAR programs receiving Ministry funding are expected to incorporate certain principles, procedures and program content in terms of the group program and partner contact to ensure program consistency, effectiveness and the safety of victims.

In addition to Ministry funding, the PAR Program is supported by client fees paid on a sliding fee scale basis by offenders who attend the program. The income generated from the fees will be

Appendix C: Sector Responses

PART D: INTERVENTION Abusers

designated for direct service delivery in terms of increased resources for partner contact or programming for offenders.

The PAR Program operates in conjunction with the Domestic Violence Court at the Newmarket courthouse. The PAR Program is supportive of its blending of the early intervention and coordinated prosecution models. Integral to the domestic violence court process is the 16-week group counselling program offered by the PAR Program that offenders attend as a condition of bail (early plea) or probation (coordinated prosecution).

Four key objectives of the Domestic Violence Court prosecution process include:

- Early intervention in situations of domestic violence.
- Vigorous prosecution of offenders who are charged with the offence.
- Support and advocacy provided to victims of abuse.
- A coordinated and integrated response between all sectors involved.

PAR Program Format and Content

The 16-week psycho-educational group program offers education and counselling to its participants on the many different aspects of partner abuse. The core components of the program are:

- definitions of abusive and non-abusive behaviour;
- abusive behaviour as purposeful and intentional;
- the effect of abuse on partners and children;
- the role of personal beliefs and attitudes in supporting/justifying abusive behaviour;
- respectful beliefs as the long-term source of alternatives to violence;
- responsibility/accountability;
- practical methods of acting non-abusively and treating partners with respect.

Other topics covered are:

- the right of abused partners to express their experience of the abuse;
- responding respectfully to a partner's anger;
- the differences between consent and submission;
- self-care;
- alcohol/drug abuse and its relationship to abusive behaviour;
- costs and benefits of abuse;
- parenting skills;
- positive and negative self-talk;
- anger management skills;

Appendix C: Sector Responses

PART D: INTERVENTION Abusers

- communication skills;
- family of origin issues;
- the connection between partner abuse and other relationships of oppression, such as racism.

Referral Process

Referrals to the program include those offenders attending the Domestic Violence Court who meet the criteria for the Early Intervention Program. As well, Probation Officers from the Ministry of Correctional Services direct offenders to contact the PAR Program. Self-referrals are also accepted from voluntary clients. Both men and women who have offended against a partner qualify for the PAR Program.

Interpretive services are available to offenders and partners who do not speak English.

Partner Contact

The safety of partners and how their experiences of abuse have impacted them is of critical importance to the PAR Program. The Outreach Counsellor contacts the victim and current partner (if the current partner is not the victim of the offence for which the offender has been referred to the program) of all offenders in the program. This contact is for the purpose of offering partners information, support, safety planning and referrals to community resources. Partners are not charged fees for any of the services they receive from the program.

The PAR Program is the responsibility of the Family Life Centre (Richmond Hill, Newmarket, Bradford).

Sex Offender Group Intervention

Sex Offender Group Intervention is offered to men age 16 years and over who have sexually offended against children/youth where there was a relationship of trust. Each group runs from September to June for two hours on a weekly basis. Groups are offered in the evenings in Newmarket and are available to men living in York Region and the surrounding areas where interventions are not available.

The primary goals of group intervention for sex offenders are:

- Relapse prevention and safety planning
- Acknowledgement of offenses without minimization.
- Education around experience of victims they abused

Appendix C: Sector Responses

PART D: INTERVENTION Abusers

- Empathy for those victims
- Examination of own history of abuse
- Social skills and interpersonal development with appropriate peer/age group
- Assertiveness training and self responsibility
- Cognitive restructuring- (e.g. cognitive distortions)
- Elimination and /or control of their sexual offending behaviour

Referral Process

- Adult offenders must be clinically assessed prior to beginning in the group program
- Group Intervention must not be provided for offenders who are currently living with their victim. During the course of intervention the offender may be at risk of re-offending and therefore the victim may be at risk. In circumstances where an offender is living with their victim(s) a child protection agency, probation or a treatment facility must be involved and that agency must provide an assessment of risk factors and monitor the situation throughout the duration of treatment
- Offenders who have been charged with sexually offending should only be considered when all court proceedings are completed
- Community risk factors must be balanced with offender's support.
- Referrals can be made by calling the agency that offers sex offender group treatment.

Appendix D

Glossary of Terms

Glossary of Terms

Arrest	<p>Takes place when a police officer takes physical control over an individual who is believed to have committed a criminal offence. A person who is arrested may not yet be charged with a criminal offence.</p> <p>If police are continuing an investigation, following arrest, a person may or may not be charged, depending on the outcome of the investigation.</p>
Charged	<p>A person becomes charged when a police officer has sworn an information that alleges that the accused committed an offence. The information is the piece of paper that says what the accused is alleged to have done (i.e. what offence was committed). It is filed with the court, and is present in court at all court appearances.</p>
Conviction	<p>A person is convicted when a court of law finds them guilty of an offence and imposes a sentence of anything other than a discharge.</p>
Conditional sentence	<p>Where an accused is sentenced to a term of custody that can be served in the community provided the accused abides by all conditions of the sentence. A conditional sentence has a set period of duration, which will not exceed two years less one day. Should the accused violate any terms of a conditional sentence he may serve the remainder of the conditional sentence in a custodial facility (jail).</p>
Discharge	<p>When an offender receives a discharge the offender is found guilty but no conviction is registered.</p>
Detention order	<p>Where an accused is detained in custody pending his trial. Bail has been denied when there is a detention order.</p>
Domestic violence	<p><i>In accordance with the criminal justice system, police refer to a specific legal definition of domestic violence, that they are obligated to follow. This definition varies somewhat, from the definition of woman abuse that was defined earlier in this protocol.</i></p> <p>Domestic violence is any use of physical or sexual force, actual or threatened, in an intimate relationship. Intimate relationships include those between the 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.</p> <p>Although both women and men can be victims of domestic violence, the overwhelming majority of this violence involves men abusing women.</p>

These crimes are often committed in a context where there is a pattern of assaulting and controlling behaviour. This violence may include physical assault, and emotional, psychological and sexual abuse. It can include threats to harm children, other family members, pets and property. The violence is used to intimidate, humiliate or frighten victims, or to make them powerless. Domestic violence may include a single act of abuse. It may also include a number of acts that may appear minor or trivial when viewed in isolation, but collectively form a pattern that amounts to abuse.

According to the Criminal Code of Canada, charges relating to domestic violence may include:

- assault
- murder
- assault with a weapon or assault causing bodily harm
- aggravated assault
- sexual assault
- sexual assault with a weapon
- aggravated sexual assault
- uttering threats
- criminal harassment (known as stalking)
- forcible confinement
- kidnapping
- hostage taking
- administer noxious substance
- strangle, choke, suffocate
- fail to comply with condition of recognizance (bail)
- being unlawfully in dwelling-house
- forcible entry
- fail to provide necessaries of life
- harassing telephone calls
- obstruction of justice
- breach of probation
- break and enter with intent
- mischief
- intimidation

In addition to Criminal Code offences there are other Provincial Act offences that may apply in a domestic violence situation. Contravention of valid court orders under the Family Law Act, and Children's Law Reform Act in connection with a domestic violence incident are also included.

Charges can also be laid in regards to trespassing, under the Trespass to Property Act. The Trespass to Property Act is a provincial statute, not a federal statute such as the Criminal Code. The penalties for provincial statutes vary from criminal statutes.

DSM IV	<p>Is a Diagnostic and Statistical Manual and is used by the medical profession to identify and categorize psychiatric conditions. A DSM IV diagnosis is required in order to receive OHIP funded mental health services.</p>
Proceed by indictment	<p>There are three types of criminal offences: summary conviction offences, hybrid offences (where the Crown can elect to proceed by summary conviction or by indictment), and indictable offences. The charge of assault is a hybrid offence. The Crown can proceed by indictment or by summary conviction. The charge of aggravated assault is a straight indictable offence, which means it is automatically indictable.</p> <p>For indictable offences (either where the Crown has elected by indictment, or offences that are automatically indictable) the accused has the option to be tried in the Ontario Court of Justice by a provincial court judge, or in the Superior Court by a superior court judge after having a preliminary inquiry, or a Superior Court judge with a jury after having a preliminary inquiry. The length of sentence is greater for offences proceeded with by indictment, than summary conviction offences.</p> <p>If the crown elects to proceed by summary conviction (in those cases where the crown has an election), the accused can only be tried in the Ontario Court of Justice and there will not be any preliminary hearing, and the maximum penalty is lower than if the Crown proceeded by indictment. Where a charge is laid six months or more after the date of offence, the Crown must proceed by indictment, unless the accused consents to a summary election.</p>
Ontario Court of Justice/ Superior Court of Justice	<p>There are two levels of trial court. The Ontario Court of Justice is the lower court, and the Superior Court of Justice is the higher court. Both levels of court have jurisdiction over criminal matters.</p> <p>Bail hearings are heard in the OCJ, except for homicides, and all trials where the crown has elected to proceed by summary conviction are heard in the OCJ. Where the Crown has elected by indictment, the accused can choose, in most instances, to be tried in the OCJ or the SCJ. Jury trials are only held in the Superior Court of Justice.</p>
Recognizance	<p>An obligation entered into before a court whereby the individual entering the recognizance acknowledges that they will abide by the terms of release (bail) as set out within the recognizance.</p>
Sexual assault	<p>Sexual Assault is a criminal offence and is defined in section 276 of the Criminal Code in the <i>Criminal Code</i> as a form of sexual abuse.</p> <p>Sexual assault is defined as any unwanted or non – consensual act(s) that is imposed by one person upon another. This may include, but is not limited to: kissing, fondling, fellatio, cunnilingus,</p>

vaginal penetration and/or intercourse, anal penetration and/or intercourse, or oral intercourse. Women and men from all age groups, ethno-cultural backgrounds, sexual orientations, socio-economic classes, religions, ability levels and professions experience sexual assault.

Sexual assault of any kind is a crime, and can occur within a marriage, partnership or a dating relationship.

Sexual activity without consent is always a crime regardless of the age of the individuals.

Rape is a term often used to describe a sexual assault that consisted of unwanted forced intercourse. Rape is not defined in the Criminal Code.

The following list represents only some of the many Criminal Code sections that address sexual violence in our community:

- Sexual Assault (s. 271)
- Sexual Assault with a Weapon (s.272)
- Aggravated Sexual Assault (s.273)
- Incest (s.155)
- Anal Intercourse (s.159)
- Bestiality (s.160)
- Indecent Act (s.173)
- Nudity (174)

Subpoena

A document that legally requires the recipient to attend in court at the date and time specified on the subpoena. Failure to abide by a subpoena can result in a material witness warrant being ordered by the court. A material witness warrant directs the police to arrest a witness in order to bring them to court.

Undertaking

An agreement by an accused party to abide by certain terms of release (bail).

Woman abuse

The United Nations' 1993 *Declaration on the Elimination of Violence Against Women*, which was signed by Canada, provides a broad definition of woman abuse, which has been accepted by the international community:

any act of gender-based violence that result in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Woman abuse is defined within this protocol as including but not restricted to the following forms, by someone with whom the woman has or has had an intimate, familial or romantic relationship:

- Physical abuse;

- Psychological and emotional abuse;
- Stalking and harassment;
- Forced social isolation;
- Rape, sexual assault, sexual harassment and other forms of sexual violence;
- Financial abuse;
- Spiritual abuse;
- Intimidation and threats; and/or
- Threats of such abuse directed at a woman by a person known to her in an attempt to control her.

Appendix E

Safety Plan Information

Safety Plan Information

This section provides a brief overview of issues for the service provider to consider in the development of an emergency escape plan with an abused woman.

For safety plans which provide detailed information about safety for the abused woman during an explosive incident, when the woman is living apart from the abuser, safety at work, safety in the neighbourhood, or an emotional safety plan, the reader may consider: the Metro Woman Abuse Council's *Safety Planning in Situations of Woman Abuse* and the Peel Committee Against Woman Abuse's *Creating a Safety Plan*. This document is available online, in ten different languages at the YRVAWCC's website, www.yrvawcc.ca.

The purpose of a safety plan is to increase the woman's safety and, if she has children, the safety of her children. Importantly, a safety plan helps the woman increase her sense of control over her situation. Service providers may refer women to "safety plan experts" such as shelter workers, and counselors who work with abused women, who will formulate a detailed plan specific to the woman's particular situation:

Some factors to include when developing a safety plan with the woman are the following:

- Inform the woman of emergency safety and protective housing such as shelters that are available to her and her children;
- Explore with the woman, her plan to take her children with her should she leave the home;
- Ask her if she has friends and/or family that she can trust and stay with temporarily;
- Provide her with a current resource list that includes telephone numbers of police, shelters, counselors and crisis lines, and suggest that she take her address and telephone book;
- Warn her that she and her children may be at an increased risk of abuse when she leaves the abuser, and that it is important for her and her children to maintain diligent safety measures even after they have left;
- Suggest she take all relevant documents, including her and her children's birth certificates, work permits, health cards, passports, bank books, property deeds, mortgage papers, and immigration papers;
- Suggest she keep all the cards and keys that she uses in her daily living in a safe and accessible place. Important cards include her credit cards, bank cards, health cards, phone cards, identification cards, driver's licence, and social insurance card. Keys that she should keep accessible include those to the car, house, work, and safety deposit box;
- Help her identify emergency exits in the home and suggest she inform her children of these exits and about the safety plan;

- Suggest that she save money in a secure place;
- Suggest that she prepare a suitcase with some essential clothes and comforting items for the children, and keep them in a confidential place, hidden from the abuser;
- Inform her that woman abuse is a crime and she has legal rights such as calling the police and having them lay charges against the abuser;
- Suggest she instruct her children, who are age appropriate, on a safety plan when a violent episode occurs. For example, run to neighbours, call 911, retreat to a room in the house that can be locked.

Remind the woman that she may make arrangements to return to her home with a police escort to pick up additional belongings at a later date.

It is important that she ***not jeopardize her safety.***

Appendix F
The Child and Family Services Act:
Grounds for Reporting

The Child and Family Services Act: Grounds for Reporting¹

Introduction

In March 2000 a number of amendments to the *Child and Family Services Act* (CFSA) came into effect. Under the previous Act, a report only had to be made when a child suffered abuse.

There is now a common duty for every person to report when they have reasonable grounds to suspect that a child (under the age of 16) has been abused or neglected, or is at risk of being abused or neglected.

If you have reasonable grounds you have a legal obligation under the CFSA to report that suspicion immediately and directly to the local Children's Aid Society. If you are unsure as to whether the matter is reportable, you should request a consultation with a CAS Intake Worker.

Even if you have already made a report concerning a child or a family, you are required to make a further report each time you have additional information to suspect actual or potential child abuse or neglect regarding that child or family.

If a situation is reported to you in confidence, you must advise the source that the law prevents you from keeping the information as a confidence and that you must report the matter to the CAS immediately.

Although members of the public, professionals, and officials have the same duty to report a suspicion that a child is in need of protection, the Act recognizes that people working closely with children will have a special awareness of the signs of child abuse and neglect, and, as a result, failure to report their suspicions is an offence for which they could be prosecuted.

Overview of the CFSA, March 2000

The paramount purpose of the *Child and Family Services Act* is to promote the best interests, protection and well being of children. The Act states clearly that members of the public, including professionals, have an obligation to report promptly to a Children's Aid Society if they suspect that a child is or may be in need of protection.

The Act defines a "child in need of protection" as a child who appears to suffering from abuse and neglect. Section 72(1) of the Act states: reasonable grounds for suspicion of any of the following require that person to immediately report the suspicion and the information on which it is based to the Children's Aid Society:

1. The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,

¹ Excerpt taken from the Child and Family Services Act, Section 72(1)

- (i) failure to adequately care for, provide for, supervise or protect the child, or
 - (ii) pattern of neglect in caring for, providing for, supervising or protecting the child;
- 2. There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
 - a. failure to adequately care for, provide for, supervise or protect the child, or
 - b. pattern of neglect in caring for, providing for, supervising or protecting the child;
- 3. The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child;
- 4. There is a risk that the child is likely to be sexually molested or sexually exploited as described in paragraph 3;
- 5. The child requires medical treatment to cure, prevent or alleviate physical harm or suffering the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment;
- 6. The child has suffered emotional harm, demonstrated by serious,
 - a. anxiety,
 - b. depression,
 - c. withdrawal,
 - d. self-destructive or aggressive behaviour, or
 - e. delayed development,and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child;
- 7. The child has suffered emotional harm of the kind described in subparagraph (a) (b), (c), (d), (e) or (f) of paragraph 6, and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm;
- 8. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph (a) (b), (c), (d), (e) or (f) of paragraph 6, and resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child;
- 9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph (a) (b), (c), (d), (e) or (f) of paragraph 6, and and that the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm,

10. The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition;
11. The child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody;
12. The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment; or
13. The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately.

Commonly Asked Questions

1. Who is responsible for reporting?

All persons are expected to report suspicion of child abuse or neglect to a CAS.
[CFSA s.72(5)]

2. When is a professional expected to report?

Any time you have reasonable grounds to suspect physical, sexual and emotional abuse, neglect or risk of harm as outlined in the CFSA, you must make a direct report to a CAS. You must not rely on anyone else to report on your behalf. The duty to report is an ongoing obligation. If you have made a previous report about a child, and have additional reasonable grounds to suspect that a child is or may be in need of protection, you must make a further report to a CAS. [CFSA s.72(1)(2)(3)]

3. Who is a "professional"?

The following is a partial list of people who are considered to be professionals under the CFSA:

- Health care professionals, including physicians, nurses, dentists, pharmacists, and psychologists;
- Teachers, and school principals;
- Social workers and family counsellors;

- Priests, rabbis and other members of the clergy;
- Operators or employees of day nurseries;
- Youth and recreation workers (not volunteers);
- Peace officers and coroners;
- Solicitors;
- Service providers and employees of service providers; and
- Any other person who performs professional or official duties with respect to children.

Please note that these are examples only. A person not listed above who does work that involves children may still be considered a professional or official under the duty to report requirements of the Act.

4. What is meant by “reasonable grounds” to suspect?

You do not need to be sure that a child is or may be in need of protection to make a report to a CAS. “Reasonable grounds” are what an average person would suspect, given his or her training, background and experience when exercising normal and honest judgement.

5. What is the penalty for failure to report?

Any professional or official who fails to report a suspicion that a child is or may be in need of protection, where the information on which that suspicion was obtained in the course of his or her professional or official duties, is liable on conviction to a fine of up to \$1,000. [CFSA s.72(4), (6.2)]

6. What about client confidentiality?

The professional’s duty to report overrides the provisions of any other provincial statute, specifically those provisions that would otherwise prohibit disclosure by the professional or official. You must report that a child is or may be in need of protection even when the information is supposed to be confidential or privileged. Only lawyers may not divulge “privileged” information about their clients. [CFSA s.72(7), (8)]

7. Will I be protected from liability if I make a report?

Yes. If a civil action is brought against you for making a report, you will be protected unless you acted maliciously or without reasonable grounds for the suspicion. [CFSA s.72(7)]

*This is a summary of the reporting responsibilities under Ontario’s **Child and Family Services Act**. Each professional and staff within an organization are responsible for the services they provide and are expected to adhere to the statutes and guidelines that are relevant to their work.*

EVALUATION FORM

Please complete the following evaluation form. This will help us assess the usefulness of the protocol and to provide information to improve upon the protocol in the future.

1. How have you used the protocol (please check all that apply):

	Very Often (x)	Often (x)	Sometimes (x)	Seldom (x)	Never (x)
As reference when I have specific questions I want addressed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For a better understanding of different services within my sector	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For a better understanding of services in other sectors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To increase your awareness of the issue of woman abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For ways to better assist abused women	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. How often do you refer to the protocol?

Very often Often Sometimes Seldom

3. Tell us how the protocol has helped you (check all that apply):

	Strongly Agree (x)	Agree (x)	Neutral (x)	Disagree (x)	Strongly Disagree (x)
Increased my understanding of the issue of woman abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Encouraged me to think about ways that I can better assist abused women	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Improved the way I assist abused women and their children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Encouraged my organization to develop an internal protocol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I have developed linkages with other agencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. How have you accessed this document?

Website Hardcopy Both

Thank you for taking the time to complete the evaluation.

Please mail or fax the completed evaluation form to: York Region Violence Against Women Coordinating Committee, c/o Women's Support Network, 1110 Stellar Drive, Unit 109, Newmarket, ON, L3Y 7B7 or fax (905) 895-6542