



# **STRENGTH IN COLLABORATION:**

## **A Protocol for the Dufferin/Caledon Domestic Assault Review Team**

Prepared by Lynn Hillman - November 2006

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# **DART Committee**

<b>DART Member Signatures</b>	<b>Date</b>
Catholic Family Services Peel Dufferin	Susan Harris, Clinical Programs Manager
Caledon\Dufferin Victim Services	Doreen Young, Executive Director
Dufferin Child and Family Services (Incorporated as the Children’s Aid Society of the County of Dufferin)	Gary Putman, Executive Director
Family Transition Place	Lyn Allen, Manager of Residential & Outreach Svc.
Headwaters Health Care Centre (Orangeville)	Lori Miller, Program Director Emergency & Critical Care Services, RT Group, Pastoral Care, Coordinator SA/DV Team
John Howard Society of Peel-Halton-Dufferin	Jeff Brown, Managing Director: Dufferin
Ministry of the Attorney General, Crown Attorney	Mary Ellen Cullen, Crown Attorney
Ministry of Community Safety and Correctional Services, Probation & Parole	Kent Smith, Area Manager
Orangeville Police Service	Rod Freeman, Chief of Police
Shelburne Police Service	Kent Moore, Chief of Police
Ontario Provincial Police - Caledon	Steven Sermet, Regional Abuse Issues Coordinator
Ontario Provincial Police - Dufferin	Ryan Carothers, Staff Sergeant
Ministry of the Attorney General, Victim Witness Assistance Program	Janice Wicke, Manager

## Terms of Reference

The Dufferin/Caledon Domestic Assault Review Team (DART), established in 1994, is a group of representatives from the County of Dufferin and Town of Caledon (Region of Peel) criminal justice, medical, child protection and community service agencies. Each agency has an individual mandate to deal with domestic abuse: victims, children who have been exposed or perpetrators.

As previously, the work of the Committee focuses on woman abuse. While it is acknowledged that **abusive behaviour may be caused by either gender, at almost every age, and in heterosexual or same sex relationships**, the area of woman abuse continues to receive special scrutiny, as most reports to Canadian Police (85%) involve women as victims and as research confirms that male to female violence is more physically damaging.<sup>1</sup>

The work of the Committee is accomplished through representatives who can take part in interagency decision-making, by commitment to the Protocol,<sup>2</sup> by commitment to deal with new challenges as they emerge and with the assistance of interagency agreements.

### Purpose

The purpose of the DART Committee is to:

- Maintain a sensitive, effective service response to victims and children who have been exposed.
- Hold perpetrators of violence or abuse accountable for their behaviour and its effects.
- Communicate and consult effectively between agencies.
- Inform members of agency changes and community trends.
- Coordinate practice through the review of individual agency and DART Protocol policies and procedures.
- Review cases for improving service effectiveness and coordination.
- Update members regarding developments in the field.
- Address local training needs.

### Meetings and Membership

Meetings are held quarterly, with the membership consisting of at least one representative from each of the 13 participating agencies:

Caledon\Dufferin Victim Services  
Catholic Family Services Peel Dufferin

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<sup>1</sup> Chiodo, Debbie, *et al.* The authors cite a 2001 study by Patterson reporting the statistics of 154 police agencies across Canada.

<sup>2</sup> Strength in Collaboration: A Protocol for the Dufferin/Caledon Domestic Assault Review Team.

Dufferin Child and Family Services (Incorporated as the Children's Aid Society of the County of Dufferin)  
Family Transition Place  
Headwaters Health Care Centre (Orangeville Site)  
John Howard Society of Peel-Halton-Dufferin  
Ministry of Community Safety and Correctional Services, Probation and Parole  
Ministry of the Attorney General, Crown Attorney  
Ministry of the Attorney General, Victim Witness Assistance Program  
Ontario Provincial Police - Caledon  
Ontario Provincial Police - Dufferin  
Orangeville Police Service  
Shelburne Police Service

A commitment of one year and regular attendance is encouraged. If a member has to miss more than two meetings, the Chair or Co-chair reaches out to re-establish attendance or request an alternate.

Whenever possible, abuse survivors are invited into membership.

### **Structure of the Committee**

A Chairperson and Co-chair are responsible for leading the Committee. Their term of duty is two years. The Chair and Co-Chair are responsible for sharing the following duties:

- Leading the meeting: The Chairperson leads, with the Co-chair substituting in her/his absence.
- Setting the meeting date/time/place.
- Changing or cancelling the meeting when necessary.
- Allowing appropriate time for the discussion of each item on the agenda.
- Ensuring that the Protocol is reviewed bi-annually.

The DART Coordinator is responsible for the following duties:

- Developing a standing agenda
- Asking for agenda additions prior to the meeting
- Confirming attendance at the meeting
- Taking and distributing minutes.
- Maintaining a contact list of current members and their representatives.
- Updating the Protocol.

### **Accountability and Decision-Making**

Each member of the DART Committee is accountable for her/his agency's responsibilities, as authorized (signed) within the DART Protocol and as limited by its current policy and practice.

As issues may arise that are beyond the Protocol's current scope, the discussion to find resolution is characterized by flexibility and problem-solving.

Decision-making is usually by consensus. In the event of a disagreement, the outcome is determined by majority vote. However, in the final analysis, each member has autonomy regarding her/his agency's mandate, policies and procedures.

### **Revision of the DART Protocol**

To update the ever-changing programs, agreements and responsibilities among agencies of the Committee, the Chair and Co-chair are responsible for implementing a bi-annual revision of the Protocol, preferably on the opposite year that the Chairpersons change.

# **Introduction**



## Welcome to the DART Protocol

The Dufferin/Caledon Domestic Assault Review Team (DART) was founded in 1994 by eight agencies to improve the working relationships, communications and response services of the County of Dufferin and Town of Caledon (Peel Region) agencies serving victims of woman assault.

In 1995, *A Protocol Dealing with Wife/Partner Assault and Criminal Harassment in Dufferin-Caledon* was developed and signed by eight agencies to formalize their association. Since then, five more agencies joined and further changes occurred within and between agencies. As a result, the original Protocol required updating.

At present, the DART Committee consists of representatives from 13 agencies:

Caledon\Dufferin Victim Services  
Catholic Family Services Peel Dufferin  
Dufferin Child and Family Services (Incorporated as the Children's Aid Society of the County of Dufferin)  
Family Transition Place  
Headwaters Health Care Centre (Orangeville Site)  
John Howard Society of Peel-Halton-Dufferin  
Ministry of Community Safety and Correctional Services, Probation and Parole  
  
Ministry of the Attorney General, Crown Attorney  
Ministry of the Attorney General, Victim Witness Assistance Program  
Ontario Provincial Police - Caledon  
Ontario Provincial Police - Dufferin  
Orangeville Police Service  
Shelburne Police Service

This document, *Strength in Collaboration: A Protocol for the Dufferin/Caledon Domestic Assault Review Team*, focuses in the area of woman abuse. It is intended to update the original Protocol as well as describe current services in this sector, highlight interagency agreements, engender commitment and provide a vehicle for training workers. Its audience is primarily DART member agencies and, by extension, their workers. As a basic knowledge of the field is assumed, the Protocol is not oriented toward providing the intensive background information needed to introduce the subject matter to the public.

Updating the original has required considerable participation of the DART Committee members. Within a limited timeframe, DART representatives have generously offered their time, expertise and the materials necessary to describe their services and guide development of the Protocol.

Lyn Allen, of Family Transition Place, deserves special acknowledgement in recognition of her considerable contribution toward orienting, directing and lending expertise to the project.

Finally, we gratefully acknowledge that this project was made possible through funding from the Ministry of Community and Social Services.

Lynn Hillman  
DART Protocol Developer

## **Guiding Principles and Beliefs**

The Dufferin/Caledon DART Committee was established with the commitment to eliminate woman abuse. As agency representatives, we believe in the following principles.

### **Freedom from Violence**

It is a basic human right for all individuals to live free of violence, harm or threat.

### **Woman Abuse as a Social Issue**

Woman abuse is a pervasive, worldwide social issue. It can be found among all ages, social classes, religions, racial groups, cultural heritage and sexual orientations. In Canada, as elsewhere, it is rooted in the social assumptions and inequities of male dominance, power and control.

While violent and abusive acts can be perpetrated by either gender in heterosexual or same sex relationships, men are responsible for the majority of these acts and cause the more damaging physical effects.

### **Woman Abuse as a Crime**

Violence against women, including sexual assault and other abusive behaviour, is a crime with serious negative consequences for woman and child victims and the communities in which they live. Violent and abusive behaviour is never justified and the perpetrator, more frequently but not exclusively male, must be held accountable. Due to safety concerns, criminal justice and community services must be initiated in an expedient, coordinated and responsive manner.

### **Woman Abuse as a Threat to Children**

As children are particularly vulnerable when exposed to woman abuse, their need for protection is critical. In accordance with the Child and Family Services Act, all individuals and, in particular, professionals who suspect that a child is or has been exposed to domestic violence must report it to the appropriate Children's Aid Society.

### **Respect and Sensitivity**

Individuals cope differently with the experience of violence and abuse. Service recipients have the right to respectful treatment. At times appearance, behaviour, values or associated issues such as substance abuse or mental health may appear to detract from an individual's credibility. It is important to view such behaviour as a coping strategy, a way to survive, and approach discussions with sensitivity and understanding. In this way, blame, recrimination and re-victimization can be avoided.

### **The Right to Self-Determination**

Counselling and support services are driven by the needs and preferences of women who have been victimized and are looking for ways to deal with their situation. To ensure that a woman is appropriately informed, DART agencies that provide support services assist her in understanding the advantages/disadvantages of a range of options and then support her right to choose her own course of action. If a woman is choosing an option that may put her children at risk, she is reminded of potential consequences, including the obligation of professionals to report and Children's Aid Societies to investigate suspicions of children at risk of harm.

### **Inclusiveness**

Woman abuse occurs among all ages, social classes, education levels, religions, and racial or cultural groups. The DART community response system is committed to encouraging diversity and providing equitable access to service regardless of gender, age, class, ability, religion, language, culture, race or sexual orientation. To maximize access, aids such as interpreter services and special equipment are provided as needed.

### **Prevention of Violence Against Women**

Ending violence against women is both an individual and community responsibility. While the criminalization of abuse and its coordinated response systems are essential, a preventive approach including education, advocacy and social action is necessary to address the issue at a systemic level.

### **Accountability**

Service recipients have the right to service that is accessible, respectful and appropriate to their needs. If an individual is not satisfied with any aspect of service, s/he has the right to raise concerns or make complaints to the service provider. It is the responsibility of each agency to advise service recipients of the complaints process and to respond promptly, when issues do arise, according to its own policies and procedures.

### **Confidentiality**

DART agencies have different policies and procedures in regard to confidentiality as a result of their individual mandates. It is the responsibility of each agency to advise service recipients of the limits of confidentiality. While case discussions assist DART agencies in improving service flow and coordination, participation may vary as each agency abides by its own policy.

### **Strength in Collaboration**

DART agencies are committed to a collaborative process to increase the safety of abused women and their children.

## Definitions

### Woman Abuse

Woman abuse refers to a variety of intentional acts – physical, emotional, sexual, verbal, financial and spiritual – committed against women within the context of intimate relationships. It is also recognized that children exposed to woman abuse are at risk for child abuse or neglect. Types of woman abuse include but are not limited to the following.<sup>3</sup>

- **Physical abuse** involves violent acts - such as hitting, slapping, punching, kicking, pushing, spitting, biting, burning, withholding food or medical care, torture, assault with a weapon, assault causing injury/bodily harm and murder.
- **Psychological or emotional abuse** refers to an act that provokes fear, diminishes self-worth or intentionally inflicts psychological trauma. It can include degradation, humiliation, extreme possessiveness, social isolation, control over daily activities and deliberate harm to property or pets. It can also involve threats of homicide, suicide, deporting family members, kidnapping children and harming family, friends or pets.
- **Sexual abuse** includes forced sexual activity, sexual harassment, unwanted sexual touching, forced exposure to or participation in pornography or prostitution and knowingly exposing women to sexually transmitted diseases.
- **Verbal abuse** refers to the use of provocative comments that are known or ought to be known to be unwelcome, threatening, degrading or offensive.
- **Economic or financial abuse** refers to the misuse of personal belongings or funds by another. It includes demanding an account of all expenditures, withholding money needed for food or clothing, denying independent access to or taking personal funds and denying the right to seek or maintain employment.
- **Spiritual abuse includes** degrading or preventing the practice of spiritual beliefs or enforcing adherence to an unwanted belief system.

### Domestic Violence: Legal Definition

Domestic violence includes any crime involving the use of physical or sexual force, actual or threatened, in an intimate relationship. Intimate relationships include those between opposite sex and same sex partners. They vary in duration and legal formality and include current and former dating, common-law or married couples.

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<sup>3</sup> Adapted from the Region of Peel Woman Abuse Protocol Best Practice Guidelines, 2005.

# **Criminal Justice System**

## **Ministry of the Attorney General Criminal Law Division - Crown Attorney**

*“The Crown Attorney for each division should participate in ... the Domestic Assault Review Team. It is important for Crowns to work in conjunction with the police service and other community agencies in order to ensure a coordinated strategy at the local level. The goal of this approach is to identify gaps in the systemic response to domestic violence and to develop effective means to address them.”*

<b>Address:</b>	51 Zina Street, 2 <sup>nd</sup> Floor Orangeville, ON L9W 1E5
<b>Area served:</b>	County of Dufferin and Town of Caledon
<b>Accessibility:</b>	Accessible to wheelchairs.
<b>Hours:</b>	Business hours: 8:30 am – 5:00 pm M-F
<b>Telephone:</b>	(519) 941-4471
<b>Website:</b>	<a href="http://www.attorneygeneral.jus.gov.on.ca">http://www.attorneygeneral.jus.gov.on.ca</a>

### **Services**

#### **Domestic Violence Court Program**

The Office of the Crown Attorney is responsible for the criminal prosecution of offenders charged with crimes resulting from domestic violence.

The Domestic Violence Court Program (DVC) was established to respond to the needs of victims of domestic violence. The DVC seeks to intervene early in domestic violence situations, provide better support to victims and increase offender accountability.

#### **The Crown Attorney’s Office will provide the following measure for complaint resolution:**

Concerns regarding the quality or nature of service can be directed to the Crown Attorney in writing. In the event that the victim is not satisfied with the action taken or resolution suggested by the Crown Attorney, the victim may direct concerns to the Regional Director of Crown Operations.

### **Responsibilities Re: DART Agencies**

#### **Domestic Violence Court Program**

##### **1. Bail Hearing**

Whenever an accused is arrested and taken before a Justice of the Peace for a bail hearing, Crown Counsel will review the complete bail brief provided by the police prior to

commencing the bail hearing.

Protection of the victim, the victim's family, witnesses and the community will be the paramount concern in any bail decision made by Crown Counsel.

In order to exercise its discretion to release or to seek the detention of the accused, it is essential that Crown Counsel receive a complete bail brief from the police containing all relevant information, including but not necessarily limited to the follow (if applicable):

- A clear and concise synopsis of the offence(s), including the nature and a precise description of the injury or injuries and the level of violence
- Victim's statement in full (or a summary of video)
- Summary of information obtained in the 911 call
- Description of damage to scent of incident
- Statements of witnesses, including children
- A completed LE239
- Background of the accused including criminal record, related occurrences, outstanding charges, drug/alcohol history, medical and/or psychiatric history
- Statement of the offender
- Information on use, possession and/or access to firearms or weapons
- Any safety concerns for the victim and/or any other persons
- Any concerns as expressed by the police and recommendations as to conditions should the accused be released

Crown counsel will ensure that victims will be notified of the results of the bail hearing, date of release (if any) and bail conditions according to the bail notification protocol.

## **2. Charge screening**

Crown Counsel will screen every charge in accordance with the charge screening standards of the Ministry of the Attorney General.

During the screening, Crown Counsel will determine whether the accused is eligible for the Early Intervention Program (EIP) and notify the accused of eligibility, usually, at the first court appearance.

In order to approve an accused for the EIP, Crown Counsel and Victim Witness Assistance Program (VWAP) will meet with the victim to explain the EIP. If approved for the EIP, the accused will be notified at the next court appearance.

## **3. Case assignment and scheduling**

Domestic violence cases will be identified and flagged by the Crown Attorney's Office.

In most instances the victim's first contact from the Crown Attorney's office will be with the designated Domestic Violence Crown Counsel. The case may then be assigned to specific Crown Counsel for prosecution or may be scheduled for trial. Whenever possible and



appropriate the same Crown Counsel will remain with the case until its final disposition, in particular when dealing with complex cases involving a significant degree of trauma or especially vulnerable victims.

#### **4. Case preparation**

For cases that proceed to trial, a coordinated prosecution model will be followed to support the victim and hold the offender accountable.

The coordinated prosecution will include the following whenever possible:

- Crown Counsel will encourage the Police to gather enhanced evidence:
  - Copies of 911 tapes.
  - Medical reports.
  - Photographs of injuries.
  - Photographs of the scene of crime.
  - Interviews with family, neighbours, and any other witnesses.
  - Audio and/or videotaped victim statements.
  - Previous relevant convictions and related occurrence reports.
  - Statement of the accused.
  - Police report to the CAS, if any.
  - Medical records and relevant waivers, when required.
  - Expert reports, when relevant.
- Crown Counsel will meet with the victim whenever possible prior to the day of trial or preliminary hearing, with the purpose of reviewing the evidence and preparing the victim to testify in coordination with VWAP.
- The DVC Crown Counsel will receive appropriate training to present the enhanced evidence in court.
- The Office of the Crown Attorney will provide information and proper documentation to Probation and PAR in order to inform and educate the accused.

#### **5. Provision of information and services**

- Crown Counsel will refer victims and witnesses to VWAP and assist VWAP to explain the justice system, provide current case information, facilitate communication with the Office of the Crown Attorney and provide additional trial preparation.
- Should the victim wish to withdraw charges, Crown Counsel will explain that the discretion to continue or withdraw from prosecution considers the victim's concerns but rests solely with the Crown and the Crown's legal obligations.
- When appropriate and possible, Crown Counsel will explain to the victim the rules regarding disclosure.
- In most instances Crown Counsel will advise the victim of a resolution. In some cases Crown Counsel will accept a guilty plea to a lesser offence or a single offence or terminate the proceedings without a trial. Whenever possible Crown counsel will advise the victim of the decision.

- Crown Counsel will ensure whenever possible that the victim is made aware of and assisted to prepare a Victim Impact Statement and will inform the victim that the statement is considered in the sentencing process.
- Crown Counsel will ensure that full submissions are made at the sentencing, including a Victim Impact Statement.
- Throughout the process, Crown Counsel will display sensitivity, fairness and compassion in their interactions with the victim.
- Crown Counsel will ensure that individuals will have access to interpreters, special equipment, testimonial aids, support personnel, etc., as needed.

**We are committed to collaboration within the  
Domestic Assault Review Team.**

## Police Services

### Ontario Provincial Police (OPP) Dufferin

**Address:** 506312 Hwy 89, RR#4, Shelburne, ON L0N 1S8  
**Area served:** County of Dufferin, excluding Orangeville and Shelburne  
**Accessibility:** Walk-in service provided.  
**Hours:** 24 hours/day, 365 days/year  
**Telephone:** (519) 925-3838 and toll-free 1-888-310-1122  
**Website:** <http://www.opp.ca>

### Ontario Provincial Police (OPP) Caledon

**Address:** 6211 Old Church Road, Caledon East, ON L7C 1J7  
**Area served:** Town of Caledon  
**Accessibility:** Walk-in service provided.  
**Hours:** 24 hours/day, 365 days/year  
**Telephone:** (905) 584-2241 toll-free 1-888-310-1122  
**Website:** <http://www.opp.ca>

### Orangeville Police Service

**Address:** 390 C Line, Orangeville, ON L9W 3Z8  
**Area served:** Orangeville  
**Accessibility:** Walk-in service provided.  
**Hours:** 24 hours/day, 365 days/year  
**Telephone:** (519) 941-2522; Emergency 911  
**Website:** <http://www.orangeville.ca/page.php?id=607>

### Shelburne Police Service

**Address:** 203 Main Street East, Shelburne, ON L0N 1S0  
**Area served:** Shelburne  
**Accessibility:** Walk-in service provided.  
**Hours:** 24 hours/day, 365 days/year  
**Telephone:** (519) 925-3312; Emergency 911  
**Website:** <http://www.shelburnepolice.com>

## **Services**

### **Domestic Violence Occurrences**

Police Services are required to have policies regarding the investigation of domestic violence occurrences that fulfill the Adequacy Standards Regulations and ensure compliance with provisions of the Police Services Act.<sup>4</sup> These policies:

1. Work to maintain the Protocol, Strength in Collaboration: A Protocol for the Dufferin/Caledon Domestic Assault Review Team in partnership with the local Crown, Probation and Parole Services, Caledon\Dufferin Victim Services, Children's Aid Societies, municipalities, community service providers and shelters.
2. Implement the Ministry-sponsored integrated model for the investigation of domestic violence occurrences and ensure that the Police Service has access to trained domestic violence investigators.
3. Develop, monitor and evaluate procedures that enhance the process of investigation, including the Domestic Violence Supplementary Report.
4. Ensure the participation of appropriate personnel in accredited domestic violence trainings.
5. Implement proven safety measures to protect Police Officers responding to domestic violence occurrences.

### **Responsibilities<sup>5</sup>**

#### Investigating Officer

1. In attending the scene, Officers shall:
  - Conduct a thorough investigation with the purpose of determining if reasonable grounds exist for laying criminal charges.
  - Due to the high risk inherent in domestic situations, use extreme caution and proven safety procedures. Secure back-up assistance whenever possible prior to entering the premises.
  - Promote the safety of all parties by, for example, quickly separating individuals, assisting them in accessing needed medical care and ensuring child support or protection services as necessary.
2. In gathering and documenting evidence, Officers shall:
  - Ask the victim if he/she was physically assaulted and if internal/external injuries have occurred. They shall record the victim's response and use an injury diagram if possible.
  - With the victim's consent, photograph the injuries at that time and within 12-48 hours if the injuries (for example, bruises) become more apparent in time.
  - Gather any evidence that would indicate a suspect's pattern of hate and bias against the victim.

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<sup>4</sup> Police Service policies take precedence over any procedures involving Police documented in the Protocol.

<sup>5</sup> Adapted from the Police Service policies and procedures document, Domestic Violence Occurrences.

- When practical and appropriate, ensure that the scene - showing, for example, overturned furniture or destroyed property - is photographed and videotaped.
  - Collect answering machine tapes, torn and bloodstained clothing, fingerprint evidence, etc.
  - With the written consent of the victim, gather hospital records and any evidence obtained by the Headwaters Health Care Centre Sexual Assault/Domestic Violence Team or other health care facility.
  - Ask the names and dates of birth of all children present or normally residing in the household.
3. When interviewing the victim, suspect or witness, Officers shall:
- Utilize the Sunrise Centre as an interview site, if appropriate.
  - Make every effort to audio or videotape statements in accordance with R. v. KGB guidelines.
  - Take a written statement if an audio or videotaped statement cannot be obtained. In this case, the victim shall review and sign his/her statement.
  - Ask the victim and witnesses direct questions regarding the suspect including the history of abuse, threats, harassment, violence, alcohol/drug abuse, mental health issues, fears for safety and use/availability of weapons.
4. To promote safety, Officers shall consider seizing firearms, offensive weapons and Firearms Acquisition Certificates, even if the firearms are safely stored. Officers shall consider a “Firearms Interest Police” entry on CPIC (Canadian Police Information Centre).
5. Officers shall lay a charge when there are reasonable grounds, including:
- Assault, threats and criminal harassment.
  - Breaches of conditions of bail, parole or probation orders or of a peace bond.
  - Any offence committed under the Criminal Code, for example, obstructing justice (by dissuading the victim from testifying).
  - Contravention of an order under the Family Law Act or Children’s Law Reform Act.
6. Officers shall not be influenced in laying charges by:
- Marital or other status in an intimate relationship.
  - Disposition of previous Police calls with the same victim and suspect.
  - A victim’s unwillingness to attend court proceedings or seeming lack of cooperation in other aspects of the process.
  - Likelihood of obtaining a conviction in court.
  - Denial by either party that the violence occurred.
  - Assurances by either party that the violence will cease.
  - A fear of reprisal against the victim.
  - Gender, race, ethnicity, disability, socio-economic status or occupation of the victim or suspect.

7. Officers shall attempt to determine the dominant aggressor in order to distinguish assault from defensive self-protection. There must be reasonable grounds to lay a counter charge against the victim.
8. Officers shall explain to the victim and suspect that it is the duty of the Police to lay charges when there are reasonable grounds and only the Crown can withdraw them.
9. If the suspect has left before Police arrive and there are reasonable grounds to lay a charge, Officers shall immediately attempt to locate the suspect and make an arrest. If he/she cannot be found, Officers shall obtain a warrant and enter it into CPIC.
10. In accordance with the Child and Family Services Act, Officers must report a child in need of protection. The Officer, who has a duty to report, shall make the report directly to a Children's Aid Society and shall not rely on any other person to report on his or her behalf.
  - Where there is an immediate risk to a child, Officers shall make direct contact with a worker of Dufferin Child and Family Services, Child Protection, or appropriate Children's Aid Society – depending on where the child normally resides - and forward the requested information.
  - In situations where there is no immediate risk
    - But where charges are laid and the accused is held/not held for a show cause hearing
    - Or where charges are not laid but the involved parties have access to children or are in a care-giving roleOfficers shall fax the report, if available, or incident history to Dufferin Child and Family Services, Child Protection, or appropriate Children's Aid Society and confirm its receipt.
11. Officers shall ensure that the victim is fully informed of:
  - The Officer's name, badge number and identification number.
  - The nature of the proceedings following charges or arrest.
  - The results of a bail hearing and any conditions of release on the accused.
  - Any change in conditions.
  - The ongoing status of the case.
12. If language is a barrier or immigration status an issue, Officers shall:
  - Utilize an interpreter, who is not a family member, relative or neighbour.
  - Reassure the victim that his/her legal status in Canada will not change as a result of participation in the judicial process.
  - Reassure the victim that the accused does not have the authority to seize his/her identification papers or force deportation. If necessary, Officers shall assist the victim in collecting identification documents (immigration, passport, health card, etc.) from within the residence.
13. If the victim is disabled and communication is affected, Officers shall make all reasonable efforts to access community resources that provide assistance, transportation, care or shelter. If the accused is the only caregiver and arrest and removal will put the victim at risk, Officers shall contact appropriate resources such as family or community services to provide care.

14. Officers shall complete a detailed occurrence report regardless of whether an offence was alleged or charges laid. In instances where no charges were laid, Officers shall document the reasons for not doing so.
15. If charges are not laid, Officers shall explain the reasons to the victim and suggest alternative options.
16. Where charges are laid, Officers shall work with the victim/others to complete:
  - The Victim/Witness Notification Form.
  - The Victim Impact Statement (VIS). In the case of serious crimes, it is recommended to delay the completion of the VIS until after conviction and with assistance of the Victim Witness Assistance Program.
  - The Domestic Violence Risk Assessment. The risk indicators checklist should be completed prior to any decision to release or detain the suspect for a bail hearing and should be included with the Crown brief and show cause report.
17. Where charges are laid, Officers shall attempt to include copies of Record Management Systems (RMS) and criminal record checks regarding other domestic related occurrences for the show cause hearing.
18. Officers shall provide assistance, information and referral:
  - Regarding safety planning.
  - Transporting a victim to a place of safety.
  - Explaining the services of and referring to Caledon\Dufferin Victim Services or the Victim Witness Assistance Program.
19. Officers shall ask a Supervisor to attend the scene, if a Police Officer is involved in the dispute.

Supervisor:

1. Regarding domestic occurrences, the Supervisor shall:
  - Monitor all relevant calls.
  - Attend the scene, whenever possible, for safety/monitoring purposes and to ensure that proper investigative procedures are followed.
  - Ensure appropriate charges are laid.
  - Ensure appropriate call back and follow-up of incidents, whether or not charges are laid.
  - Review all reports to evaluate the effectiveness of Officers' responses and to determine whether appropriate service was given and policy followed.
  - Assess any incident where a Police Officer is involved and, if further investigation is required, assign an Officer of a confirmed rank and notify the Chief of Police or Detachment Commander.
  - On a regular basis, reinforce the policies of domestic incident investigation with Officers.

2. If the type of incident is a threshold major case as defined in the Ontario Major Case Management Manual, the Supervisor shall ensure that the investigation is conducted in accordance with the Criminal Investigation Management Plan.

Domestic Violence Coordinator:

1. The Coordinator shall report to the Chief of Police or Detachment Commander. His/her role shall be to monitor Officer response to/ investigation with/ and compliance with the procedures of Domestic Violence Occurrences and to recommend improvements.
2. The Coordinator shall review, evaluate and recommend the Police Service response to domestic violence by:
  - Determining its effectiveness.
  - Measuring community response.
  - Identifying additional training needs.
  - Monitoring changes in law and court rulings.
3. The Coordinator shall monitor and evaluate the follow-up to domestic violence cases.
4. The Coordinator shall liaise with DART agencies, local service providers and community representatives responsible for dealing with issues of domestic violence.
5. The Coordinator shall ensure that all Officers have business cards, which list relevant community services to assist victims.
6. The Coordinator shall maintain standards by:
  - Conducting audits to ensure that the Domestic Violence Occurrence procedure is followed and that occurrence reports are written on all incidents.
  - Monitoring legislative and case law changes to ensure that the Domestic Violence Occurrence procedure is current. The Coordinator shall report any changes to the Chief of Police or Detachment Commander.
  - Ensuring statistical data is entered and reported to the Ministry of the Attorney General in the designated form.
7. The Coordinator shall liaise with the Police Services Media Relations Officer to inform the public and media about the Police Services Domestic Violence Occurrence Procedure.



Personnel of the Records Branch:

Personnel of the Records Branch shall:

Ensure that in cases involving high risk or a repeat offender, the name of the offender shall be entered into the SIP (Special Interest Police) category of CPIC as soon as possible and within 24 hours.

Ensure that release conditions and arrest warrants are entered into CPIC as soon as possible and within 24 hours.

Communications Operator:

1. The Communications Operator shall ensure that:

- Officers respond to all calls relating to domestic violence including those that are received from third parties who may or may not identify themselves.
- Officers respond if the call is disconnected or the caller indicates that the Police are no longer required.
- Domestic violence calls receive the same priority as any other life-threatening call.
- Officers responding to a domestic violence call are provided with the following information, if available:
  - About the suspect (e.g., relation to victim, whereabouts, description).
  - Whether the suspect is under the influence of drugs or alcohol.
  - Whether children are present in the household and their status.
  - Whether there are known to be firearms in the residence.
  - Whether anyone in the household has been issued or refused a Firearms Acquisition Certificate.
  - Whether there have been previous violent incidents at the address and, if so, the nature of the incidents and whether firearms have been involved.
  - Whether a current peace bond, restraining order, probation or parole order exists against the suspect.
  - The source of this information.

1. Due to the high risk inherent in domestic occurrences, the Communications Operator shall ensure that two Officers attend at the scene.

The Chief of Police or Detachment Commander:

1. The Chief of Police or Detachment Commander shall:

- Ensure that Domestic Violence Occurrences policy is adhered to in all incidents of domestic violence.
- Prepare, maintain and analyse statistics on domestic incidents with a view to establishing victimization trends, victim needs, critical information and the availability of community services.

Police Services shall provide the following accountability measure in regard to complaints resolution:

Complaints concerning the policy, service or conduct of a Police Service can be made by members of the public by following the reporting procedure as set out by the Office of the Independent Police Review Director (OIPRD).

The complaint shall be investigated as outlined in the Ontario Police Services Act.

**We are committed to collaboration within the  
Domestic Assault Review Team.**

## Ministry of Community Safety and Correctional Services, Probation and Parole

*“The Ministry of Community Safety and Correctional Services is committed to ensuring that Ontario's communities are supported and protected by law enforcement and public safety systems that are safe, secure, effective, efficient and accountable....”*

<b>Address:</b>	210 Broadway, Suite 201 Orangeville, ON L9W 1K3
<b>Area served:</b>	County of Dufferin and Town of Caledon residents.
<b>Accessibility:</b>	Accessible to wheelchairs.
<b>Hours:</b>	Business hours: 8:30 am – 4:45 pm M-F
<b>Telephone:</b>	(519) 941-4622
<b>Website:</b>	<a href="http://www.mcscs.jus.gov.on.ca">http://www.mcscs.jus.gov.on.ca</a>

### Services

**Probation and Parole Officers<sup>6</sup> will provide the following correctional services:<sup>7</sup>**

1. In general, supervise adult offenders (over 18) who are under community supervision by court order, i.e. conditional sentences, probation orders or parole certificates - as granted by the Ontario Parole and Earned Release Board (OPERB).
2. More specifically, supervise partner abuse offenders, defined as adults who are currently on probation, parole or conditional sentence for:
  - An offence related to abusive behaviour,
  - An unrelated offence, but has prior convictions for offences related to abusive behaviour and in the opinion of the Probation Officer continues to present a risk for partner abuse (see risk assessment below) OR
  - An unrelated offence but collateral contacts have disclosed that the offender is abusive of their partner.

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<sup>6</sup> For the sake of brevity, Probation and Parole Officers will be called Probation Officers throughout the Protocol.

<sup>7</sup> Adapted from the Ministry of Community Safety and Correctional Services, Probation, Parole and Conditional Sentence Policy and Procedures Manual, with continual electronic updating.

3. Assess offender risk and needs.
4. Plan strategies for intervention with the offender, victim, Police, courts, spousal abuse programs and the community at large.
5. Prepare court ordered pre-sentence or pre-parole reports for OPERB.
6. Develop community linkages with other stakeholders, including victims, to enhance the awareness of respective roles and responsibilities and facilitate the development of information sharing processes.

**Probation and Parole Officers will provide the following accountability measures in regard to partner abuse cases:**

1. The primacy of victim safety

Probation Officers will observe the overriding principle of victim safety. Probation Officers will engage the victim, past victims and current partner as possible to effectively assess and supervise offenders or prepare court reports regarding the offender.

2. The limits of confidentiality

Early in the contact, Probation Officers will advise both victims and offenders of the limits of confidentiality.

The victim will be advised that information provided may be disclosed in reports to the court and by extension to the offender.

The victim will also be advised that information provided to her/him about the offender will be limited to the following:

- Whether or not the offender is in custody and, if so, the release date.
- Whether or not the offender is on probation, parole or conditional sentence.
- The parole eligibility date.
- The standard conditions of a probation, parole or conditional sentence order.
- Additional conditions, which specifically name the victim, e.g., non-association.
- The general geographic area of release from custody.

3. Complaints resolution

The process for resolving concerns regarding the quality or nature of service will be explained at intake. Concerns can be directed to the Area Manager, Orangeville Area Probation Office at 210 Broadway or to the Ontario Ombudsman Office.

## **Responsibilities:<sup>8</sup>**

### **Victim Contact**

1. At intake, the offender will be advised that the Probation Officer will be contacting the victim, the current partner and any other potential victims intermittently throughout the period of supervision.
2. Victim contact will give the Probation Officer the opportunity to:
  - Corroborate offender-provided information for case supervision.
  - Corroborate offence information in conducting the risk assessment.
  - Develop a link with the victim in the case of future partner abuse offences.
3. The Probation Officer will advise the victim of the:
  - Role of the Probation Officer.
  - Limits of confidentiality to the information that s/he provides.
  - Offender-related information that can be released.
  - Processes of enforcement.
  - Options for victim involvement throughout the perpetrator's criminal justice and supervision processes.
  - Options available if a condition of non-association is breached.
  - Needed community resources.

All contacts with the victim and her/his responses will be clearly documented in the case notes, including unsuccessful efforts to make contact.

### **Case Supervision**

1. In domestic assault cases, the Probation Officer will make every reasonable attempt to contact the victim as a source of information for pre-sentence reports.
  - The Probation Officer will caution the victim that the information and source may be disclosed to the offender. If the victim is apprehensive, her/his information will not be included.
  - Unless s/he gives permission, the victim's address and telephone number, as well as identifying information of family members, will not be recorded in the pre-sentence report.
2. Upon assignment of a domestic assault case, the Probation Officer will be responsible for the following within the next six-week period:
  - An intake interview with the offender.
  - Mandatory contact with collateral sources: the Police Service that brought charges, the victim, the offender's current partner and - with permission - school or employment.

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<sup>8</sup> *Idem.*

- Completion of a risk and need assessment, including a comprehensive personal and criminal history.
  - Inclusion of a CPIC check, family court order (if applicable) and statement of facts or Police occurrence report on abuse-related offences.
  - Completion of a supervision plan, as set out in the Case Supervision Standards<sup>9</sup> provided by the Ministry.
3. Whenever possible, the Probation Officer will refer the offender as early as possible to a PAR or other partner abuse program if it is a condition of the supervision order. If there is a wait list, the Probation Officer will monitor the offender's status. If there is no counselling condition on the order, the Probation Officer will encourage the offender to attend a partner abuse program.
- Regarding attendance at PAR, the Condition of Adult Probation should state: "Attend, actively participate in and complete the PAR Program to the satisfaction of your Probation Officer. This is in addition to any other counselling that may be recommended by your Probation Officer. You are to attend PAR in sober condition and your participation is to be at your own expense."
4. Contact with the victim during case supervision will assist the Probation Officer in:
- Obtaining the victim's version of the offence and its impact.
  - Determining the victim's ongoing involvement with the offender and/or his case.
  - Identifying specific concerns (e.g. child visitation).
  - Assessing the offender's risk level.
  - Developing the goals and counselling needs of the offender.
  - Providing the victim with the name and telephone number of the Probation Officer in the event that s/he wishes to establish contact during the period of supervision.

### **The Supervision of Enforcement**

1. Where there is sufficient evidence to support a breach of probation, a Fail to Comply charge will be laid. Individual circumstances will determine whether this action is taken by the Probation Officer or the Police.
2. The Probation Officer will regularly monitor all collateral contacts such as victim, current partner, Police, PAR or other services to eliminate partner abuse. If the Probation Officer learns of on-going violence by the offender, the Police and, where applicable, the Children's Aid Society will be notified. As complainant, the victim will be advised to report abusive incidents to the Police.
3. The Probation Officer will ensure that the victim has access to emergency telephone numbers of shelters or other support services.

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<sup>9</sup> *Idem.*

4. In cases where a probationer re-offends and is charged with an offence of the same or similar nature, the Probation Officer will alert the Crown Attorney in charge of the case.

### **Variations**

When the offender requests a variation to a non-association or a boundary/radius condition, the Probation Officer will recommend an “open court” hearing.

Whenever possible, the Probation Officer will contact the victim to inform her/him of the probationer’s request and to explain the process, including the likelihood of being required as a witness at the hearing. If the victim is opposed to the variation, the Probation Officer will notify the Crown Attorney in writing.

### **Parole**

When a parole applicant submits a release plan indicating an intention to reunite with the victim for the period of parole, the Probation Officer will:

- Assist the victim in understanding the parole process, including suspension and post-suspension hearings.
- Advise the victim of the inmate’s ability to access the Parole Report under the Freedom of Information and Protection of Privacy Act.
- Advise the victim of the right to submit a Victim Impact Statement to the Ontario Parole and Earned Release Board (OPERB), with a caution about the limits of confidentiality.
- Inform the victim that s/he may request attendance at the parole hearing.
- Suggest a similar phrasing as to that of the PAR condition (above) when recommending a counselling condition on parole releases.

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## Ministry of the Attorney General - Victim Witness Assistance Program

*“Our mandate is to provide information, assistance and support to victims and witnesses of crimes throughout the criminal court process in order to increase their understanding of, and participation in, the criminal court process.”*

<b>Address:</b>	51 Zina Street Orangeville, ON L9W 1E5
<b>Area served:</b>	County of Dufferin and Town of Caledon
<b>Accessibility:</b>	Walk-in service provided. Wheelchair accessible.
<b>Hours:</b>	Business hours: 8:30 am – 5:00 pm M-F
<b>Telephone:</b>	(519) 941-7132 and toll-free 1-888-600-3769
<b>Website:</b>	<a href="http://www.attorneygeneral.jus.gov.on.ca/english/ovss/programs.asp">http://www.attorneygeneral.jus.gov.on.ca/english/ovss/programs.asp</a>

### Services

#### The Victim Witness Assistance Program (VWAP) will provide the following:

1. Voluntary and free service to victims/witnesses of domestic violence, after criminal charges have been laid.
2. Services include:
  - Information about the court process and the criminal justice system (CJS).
  - Specific case information, court updates and copies of court documents.
  - Court preparation.
  - Emotional support, including crisis intervention, advocacy and debriefing.
  - Needs assessment and referrals to community agencies.
  - Information about Victim Impact Statements, the Criminal Injuries Compensation Board (CICB), Priority Assessment Letters, etc.
  - Referral to the Victim Support Line.

#### VWAP will provide the following accountability measures:

As a program of the Ministry of the Attorney General, VWAP works closely with the Crown Attorney and acts as liaison between the prosecution process and victim. The Victim Witness Assistance Program:



1. Advises victims of their rights according to the Victims Bill of Rights, including the right to be treated with dignity and respect, and advocates for their rights.
2. Assists victims to increase their knowledge of the criminal justice system in general and the specific progress of their case in the system.
3. Advocates for victims within the criminal justice process.
4. Refers to appropriate resources in the community if ongoing counselling or other services are required.

### **Confidentiality**

1. VWAP informs the victim of their confidentiality policies and disclosure obligations.
2. VWAP does not discuss evidence with victim/witnesses. (#2 original was replaced with this statement)
3. VWAP requires, in accordance with Section 72.3 of the Child and Family Services Act, that all Staff, volunteers and students (the latter two in consultation with their Supervisor), directly report any child in need of protection to the Children's Aid Society in the area in which the child normally resides.
4. Upon receipt of a Victim Impact Statement, VWAP forwards it to the Crown for sentencing purposes.

### **Complaints Resolution**

Concerns regarding the quality or nature of service can be directed to the Manager of VWAP. The Manager is accountable to the Regional Manager of Central West Region, Ontario Victim Services Secretariat, Ministry of the Attorney General.

### **Responsibilities**

#### **VWAP has the responsibility to:**

- Explain to the victim VWAP's role, disclosure obligations and confidentiality policy.
- Provide information and referrals regarding safety planning and access to community services.
- Communicate a victim/witness's concerns and input to the Crown, as necessary and as requested, throughout the process.
- Arrange a tour of the courtroom.
- Assist the victim through the criminal court process.

- Inform the victim of court dates and their purpose.
  - Provide copies of public court documents such as bail or probation orders.
  - Provide information and support to prepare the victim for testifying.
  - Work closely with the Crown to review eligibility and referral into the Early Intervention Program in the Domestic Violence Court.
1. Advocate with the Crown Attorney on a case-by-case basis for an early Crown assignment where there are child victim/witnesses or significant safety risks to the victim.
  2. Facilitate contact between the victim, Police and Crown to prepare for court.
  3. Convey to the Crown the victim's safety concerns and any requirements for testifying.
  4. Advise victims of their rights to legal counsel in relation to a request for third party records. Can also provide a listing of appropriate legal representatives.
  5. Facilitate a Crown meeting prior to the trial.
  6. Debrief with the victim upon request.
  7. At the request of the Crown or the victim, arrange for the victim to meet with the Crown after completion of the case.
  8. Attempt to notify the victim of the outcome of the case and provide copies of pertinent documents at her request.
  9. Provide information about the Victim Impact Statement and assistance to complete it, if requested.
  10. Provide information to the victim about CICB.
  11. Provide information on the Provincial and National Parole Boards.
  12. Advise the victim of the Victim Support Line.
  13. If made aware of an appeal, advise the victim, explain the process and facilitate a referral to the Court of Appeals VWAP Office.

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## Caledon\Dufferin Victim Services

*“ Caledon\Dufferin Victim Services offers a 7 day a week, 24 hour a day crisis support, practical assistance and an information\referral program to victims of crime, tragic circumstance and disaster.”*

<b>Address:</b>	<b>Caledon (Head Office):</b> 18 Mill Street Bolton, ON L7E 1C1
	<b>Dufferin:</b> 390 C Line Orangeville, ON L9W 3Z8
	<b>Shelburne:</b> 203 Main Street East Shelburne, ON LON 1S0
<b>Area served:</b>	County of Dufferin and Town of Caledon
<b>Accessibility:</b>	Walk-in service provided.
<b>Hours:</b>	24 hours/day, 7 days/week, 365 days/year
<b>Telephone:</b>	24 hour crisis line: (905) 951-3838 or 1-888-743-6496
<b>Website:</b>	<a href="http://victimservicesontario.org">http://victimservicesontario.org</a>

### Services

#### **Caledon\Dufferin Victim Services (CDVS) will provide service to:**

- Anyone whose personal rights have been violated by criminal, violent or aggressive acts.
- Anyone whose life has been affected by trauma, tragedy or disaster regardless of severity.
- Secondary victims (family, friends, and witnesses) of persons who have been victims of crime or persons injured/killed as a result of a serious accident or as a result of crime.

#### **Caledon\Dufferin Victim Services (CDVS) will provide the following services:**

- 24 hour crisis support – on scene or by telephone.
- Walk-in support and outreach services.
- Critical incident stress debriefing.
- Emotional support, including an opportunity for the victim to vent.
- Validation of the victim’s emotions and reactions.
- Options and choices at a time when the victim may need guidance and direction.
- Support of the victim’s choices.
- Information about available resources and services.
- Practical assistance.

- Transportation and accompaniment to local shelters or hospitals.
- Transportation and accompaniment to Toronto-area trauma centres (family).
- Court support and accompaniment.
- Personal safety planning.
- DVERS (Domestic Violence Emergency Response System) alarms.
- SupportLink wireless cell phones (Caledon only)
- Victim Quick Response Program – *immediate financial assistance*
- Advocacy.
- Education and awareness.
- A resource library – lending of written materials, videos and DVDs.

**Caledon\Dufferin Victim Services (CDVS) will provide the following measures of accountability:**

1. Commitment

We will, within the mandate of our services:

- Ensure the highest possible standard of service for our clients and community.
- Provide service to individuals who reside in or are victimized while in the Town of Caledon and the County of Dufferin.
- Provide free of charge, inclusive, effective and efficient crisis services.
- Provide equal treatment for all people accessing our services.
- Be sensitive to race, ethnicity, gender, age, sexual orientation, socio-economic status and/or abilities of individuals.
- Be safety-sensitive and considerate of the many issues facing victims of partner assault.
- Commit to assisting victims in gaining knowledge and understanding.
- Collaborate and network with other social service agencies in the area of violence against women to enhance, complement and provide a continuum of services to victims of domestic violence.

2. Confidentiality

CDVS is committed to respecting and maintaining the confidentiality of victims with the following exceptions: when the victim is homicidal or suicidal, when there are child protection concerns or when agency occurrence reports are subpoenaed.

Although CDVS works in partnership with the Caledon and Dufferin detachments of the Ontario Provincial Police, and the Orangeville and Shelburne Police Services, CDVS operates separately and independently of police and is therefore able to deliver a service that respects victim confidentiality.

### **3. Complaints resolution**

Clients have the right to address concerns and/or make complaints to the agency serving them. Complaints/concerns regarding the quality or nature of the services provided can be addressed to the Executive Director of Caledon/Dufferin Victim Services. If there is failure to satisfactorily resolve a grievance, the Executive Director will report an appeal of the grievance and all pertinent information to the Board of Directors for further mediation and resolution.

## **Responsibilities**

### **Intake Procedures for Victims of Domestic Violence**

- Provide front line, immediate, crisis response 24/7.
- Provide one-on-one practical assistance.
- Assess the safety of the victim and victim's children.
- Encourage police involvement.
- Encourage the victim to seek medical attention, if necessary.
- Provide transportation to a shelter or local hospital if the accused is in custody.
- Allow the victim to express feelings.
- Validate the victim's emotions and reactions.
- Provide options and support the victim's choices.
- Assess client suitability for SupportLink and DVERS protection programs.
- Assess client suitability for Victim Quick Response Program (VQRP)
- Notify the CDVS Program Assistant of possible DVERS/SupportLink clients.
- Notify the CDVS Program Manager of possible VQRP clients.
- Assist with personal safety planning.
- Disseminate information about local resources that provide longer term support and assistance.
- Encourage the client to contact the resources provided.
- Provide follow-up telephone contact to ensure the victim has successfully connected with appropriate resources.
- Encourage the victim to access the CDVS Resource Library.

### **SupportLink Program (Caledon only - No Fee)**

Victims considered at high risk of domestic violence, sexual assault and/or stalking may be eligible for a SupportLink wireless cell phone in the Town of Caledon. These phones are preprogrammed to dial 911 in an emergent situation, allowing the victim quick and easy access to emergency services. This gives the victim a greater sense of safety and increased mobility.

**DVERS Home Alarms (No Fee)**

Domestic Violence Emergency Response System alarms are provided to victims at very high risk of domestic violence, sexual assault and stalking. Home alarms are provided by ADT at no cost and are hard wired to the home telephone system. The victim wears a pager and presses it to summon immediate Police response.

**Victim Quick Response Program (VQRP)**

Caledon\Dufferin Victim Services, in conjunction with the Ministry of the Attorney General, Ontario Victim Services Secretariat, will consider financial assistance to victims of homicide (including attempted murder), serious physical assault, domestic violence, sexual assault and hate crimes. Immediate financial assistance is available to victims of violent crimes who require financial support that cannot be obtained through other sources.

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# **Health Services**

## **Headwaters Health Care Centre - The Domestic and Sexual Assault Treatment Program (DASA)**

*“Our mission is to institute a program of care within the Emergency Department and Sexual Assault Treatment Program [SATP]...We review, evaluate and modify the plan of care with a view to achieving excellence in the care of abused women/children. We utilize a collaborative approach between the emergency department staff, SATP members, in patient staff, police, community agencies and crown attorneys to ensure comprehensive care. We participate in research initiatives in order to further understand abused women and their care.”*

<b>Address:</b>	100 Rolling Hills Drive Orangeville, ON L9W 4X9
<b>Area served:</b>	County of Dufferin and Town of Caledon
<b>Accessibility:</b>	Walk-in emergency service provided. Fully accessible.
<b>Hours:</b>	Hospital hours: 24 hours/day, 365 days/year
<b>Telephone:</b>	(519) 941-2410 Ext. 2214 (emergency extension)
<b>Website:</b>	<a href="http://www.headwatershealth.ca">http://www.headwatershealth.ca</a>

### **Services**

**Headwaters Health Care Centre will provide the following services within the DASA Treatment Program<sup>10</sup>:**

1. Emergency Department (ED)
  - Standardized universal screening of all emergency patients as to victimization by domestic violence, child exposure to domestic violence or sexual assault.
  - Referral to specially trained nurses and other medical personnel, when available.<sup>11</sup>
2. Sunrise Centre
  - Located within, but separate and distinct from, the ED at the Headwaters Orangeville site.
  - Used for patients accessing the DASA Treatment Program.
  - Provides a separate entrance to ensure privacy and a quiet, non-threatening, non-clinical environment to be examined, treated and, if the patient wishes, provide a videotaped

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<sup>10</sup> Adapted from the Dufferin-Caledon Health Care Corporation Sexual Assault Treatment Program Personnel Manual, revised September 2002.

<sup>11</sup> Due to staffing pressures, specially trained medical personnel may not be available. It will be assumed throughout this document that should this occur, the Hospital will determine alternate coverage according to its internal protocol, described in the “Assessment and Examination” section.



statement to Police.

- Used by Police and Dufferin Child and Family Services, Child Protection, for interviewing victims (without ED admission).
- Hospital volunteers, 9 am – 4 pm, are sometimes available to supervise children.<sup>12</sup>

3. Domestic Violence Treatment Program

- Identification, assessment, medical examination, medical treatment, safety planning and referral to community services for females over the age of 12, who disclose domestic violence.
- Screening and reporting of children under the age of 16, who are in need of protection due to exposure to domestic violence.
- Staffing by specially trained Domestic Violence Team management, nurses and physicians.

4. Sexual Assault Treatment Program (SATP)

- Prompt, confidential and individualized care for female or male victims of recent sexual assault (less than 72 hours).
- Crisis counselling and emotional care provided by a specially trained nurse.
- Medical care - including an examination, treatment of physical injury, preventative treatment of sexually transmitted disease and possible prevention of pregnancy, if deemed appropriate.
- Collection of forensic evidence (Sexual Assault Evidence Kit), if the patient is considering legal action and it is within 72 hours of the assault. If the Police are not already involved, SATP will:
  - Retain the evidence for up to 6 months and contact the patient prior to the deadline.
  - Assist the patient in deciding whether or not to use this evidence to report to the Police and prosecute.
- Sexual assault records are located in a confidential site, separate from the rest of hospital records.
- Report to Dufferin Child and Family Services or appropriate Children's Aid Society if a child under the age of 16 is suspected of experiencing sexual abuse.

5. Pediatric Sexual Assault Treatment Program (PSATP)

- Medical care and treatment of child victims of sexual abuse and assault.
- Crisis support and counselling to the child victim, family members and significant others.
- Medical evaluation to guide decision-making in regard to:
  - The ordering of tests.
  - A physical examination.
  - Treatment options.
  - Completion of a Sexual Assault Evidence Kit.
  - Medication for injuries, sexually transmitted diseases and other occurrences resulting from sexual abuse and assault.
- Choice of the child (or parent if the child is incapable of giving consent) as to:

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<sup>12</sup> Caledon\Dufferin Victim Services volunteers, accompanying the police, may also supervise children.

- Collection of forensic evidence (Sexual Assault Evidence Kit), if the incident took place less than 24 hours prior for a prepubescent child or less than 72 hours prior for a pubescent child or if the time could not be determined.
- Disclosure to the Police of information related to the sexual assault, examination and treatment of the child.
- Report to Dufferin Child and Family Services or appropriate Children's Aid Society if the child victim is under the age of 16 and is suspected of experiencing sexual abuse.
- Referral to needed community resources.

**Headwaters Health Care Centre will provide the following accountability measures:**

1. Confidentiality

All staff of the DASA Treatment Program will adhere to the confidentiality and consent policies of the Personal Health Information Protection Act (PHIPA), the Health Care Consent Act (HCCA) and internal policies and procedures. Patients will be informed prior to any service intervention of their rights regarding examination, investigation, treatment and disclosure.

2. Complaints resolution

Concerns regarding the quality or nature of service can be directed to the Program Coordinator. All complaints will be investigated and responded to in accordance with the hospital's policies and procedures.

## **Responsibilities**

### **Domestic Violence Intervention**

#### **Identification**

1. On arrival to the ED, all female patients over the age of 12 will be triaged in privacy and screened for risk of domestic violence.
2. The Triage Nurse will:
  - In a private and confidential setting ask one question in an empathic and non-judgmental way regarding domestic violence or abuse.
  - If the patient discloses domestic violence, explain the role of and offer DASA nursing service.
  - Take the patient to a quiet room or the Sunrise Centre, alone if possible, refer to the ED Nurse and pull the patient's chart.

3. For the patient who has not yet disclosed, the ED Nurse will:
  - Screen all patients for physical injury, pregnancy pain or bleeding, post-partum complaints, psychiatric issues and substance abuse.
  - Ask again about abuse and offer a specially trained DASA Nurse.
  - Stabilize intoxicated, hallucinating or seriously ill patients prior to interviewing.
  - Access translation services (not a relative or friend) for a patient who does not speak English.
  - Ensure screening of women who may be overlooked – those who are elderly, pregnant, disabled, with HIV/Aids or in same sex relationships.
  - Provide appropriate literature to those who disclose but do not wish DASA service or those who are suspected as victims but do not disclose.

### **Assessment and Examination**

1. For the patient who discloses and agrees to DASA nursing service, the ED nurse will:
  - Page a DASA nurse. If the nurse is unavailable, the ED nurse will consider the needs of the patient and an established protocol in deciding whether to:
    - Hold the patient over to the next shift.
    - Have the patient return to the hospital.
    - Have the patient cleared medically and transferred to another hospital with DASA expertise.
  - Collect any forensic evidence on sheets and clothes for possible photographs and Police investigation.
  - Ensure the treatment of any life threatening injuries in order of priority.
  - Discuss concerns around the case with the DASA Nurse.
2. The ED Physician will provide medical care and clearance to patients that have been physically abused.

### **Investigation, Evidence Gathering and Documentation**

1. In obtaining consent to gather information or evidence, the Nurse will inform the patient of its implications. For example, while the patient may give and at any time withdraw consent to any form of hospital involvement (examination, treatment or the disclosure of records), if the Police are already involved, they may access the records with a warrant or subpoena.
2. The DASA Nurse will complete the hospital chart, Domestic Violence Record, including:
  - Appropriate consent forms.
  - The location and severity of each injury, using a body map if indicated.
  - Physical symptoms, emotional symptoms and indications of abuse (e.g., torn clothing).
  - The abuser's name and current location (e.g., in the ED).
  - The nature/dates/times of the current abuse and history of abuse.
  - Telephone and other contact information.
  - Police involvement and information.
  - Children's Aid involvement and the age, whereabouts and safety of the patient's children (e.g., whether exposed to or actually experiencing physical abuse).

- Hospital interventions.
3. The DASA Nurse will, with the patient's consent, take photographs of the injuries.

### **Safety Planning and Other Interventions**

1. After the physician clears the patient medically, the DASA Nurse will:
  - Provide emotional care, safety planning and a list of appropriate community agencies.
  - If not already involved and with the patient's consent, offer to contact the Police for attendance at the ED.<sup>13</sup> The Police will take photos or use videotapes/DVD's to document the statement and other evidence.
  - Advise the patient of the obligation to report to Dufferin Child and Family Services, Child Protection, children in the family who are under the age of 16 and exposed to domestic violence.
  - Refer to Family Transition Place Legal Support Counsellor and community legal services regarding any legal repercussions (e.g., for immigrant women).
  - Provide vouchers for the patient's transportation to the Family Transition Place shelter or other locations.
  - Set a follow-up appointment as necessary for further documentation and photographs of injuries that may not have been visible previously.
  - Refer to the DASA program social worker for short-term follow up.

**We are committed to collaboration within the  
Domestic Assault Review Team.**

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<sup>13</sup> A gunshot wound is the only injury that requires a mandatory report to police.

# **Child Protection Services**

## Dufferin Child and Family Services

*“Dufferin Child and Family Services, an integrated children's agency, strives to advocate for and provide coordinated, quality services for children, families and individuals. Our primary service focus is on children most in need of counselling, support and protection from abuse and neglect, while supporting families in their central role of caring for and nurturing children.”*

<b>Address:</b>	655 Riddell Road Orangeville, ON L9W 3H7
<b>Area served:</b>	County of Dufferin
<b>Accessibility:</b>	Walk-in service provided. Wheelchair accessible.
<b>Hours:</b>	Business hours: 8:30 am – 5:00 pm M, Th, F 8:30 am – 8:30 pm Tues., Wed. Child protection after hours: 24 hours/day, 365 days/year
<b>Telephone:</b>	(519) 941-1530
<b>Fax:</b>	(519) 941-1525
<b>Website:</b>	<a href="http://www.dcafs.on.ca">http://www.dcafs.on.ca</a>

### Services

**Dufferin Child and Family Services (DCAFS), Child Protection, provides the following services:**

- Legislated by the Child and Family Services Act to complete investigations in circumstances of child abuse and neglect when children are under 16 years of age, including children exposed to domestic violence. The goal is to ensure the protection of children while also supporting the natural family – whenever possible keeping children and parents together.
- Counselling support and alternative placements, such as foster care or treatment foster care when necessary. Such placements provide temporary homes that are safe and stable in a caring environment. The goal is to try to reunite the child with his or her family; however, this may not always be possible.
- Adoption services for children who have become permanent wards of the agency and who are able to benefit from permanent placement with a family.

**Dufferin Child and Family Services (DCAFS), Child Protection, will provide the following accountability measures:**

1. Confidentiality

In general, Child Protection is not able to share information about a person without their consent, except in certain narrowly defined circumstances.

2. Complaints resolution

The first recourse for concerns regarding the quality, service, decision or conduct of Dufferin Child and Family Services is to ask to speak with the staff member's immediate supervisor/manager by phone or in person.

At any point, however, a person seeking or receiving a Child Protection Service from Dufferin Child and Family services has the right, under provisions of the Child and Family Services Act, to formally make a complaint. Complaints may be directed to an Internal Complaints Review Panel established by the agency.

A person seeking or receiving a Child Protection Service from Dufferin Child and Family Services has a further legal right to seek a review of their complaint from the Child and Family Review Board, established by the Minister under the Child and Family Services Act.

Steps to initiate either a complaint to the Internal Complaints Review Panel or the Child and Family Review Board, can be obtained from Dufferin Child and Family Services.

## **Responsibilities**

### **Child Abuse Investigation - Particularly in Circumstances of Domestic Violence**

Children exposed to domestic violence are at risk on two accounts – the harmful consequences of being a witness as well as the frequent co-occurrence of domestic violence and child abuse.

The paramount purpose of the Child and Family Services Act (CFSA) is to promote the best interests and wellbeing of children and protect them from maltreatment, including the effects of domestic violence. Under the Child and Family Services Act, Dufferin Child and Family Services (DCAFS) has the primary responsibility in County of Dufferin to investigate allegations or evidence that children under the age of 16 are in need of protection.

As front-line service providers, Dufferin/Caledon DART agencies have a major role to play in identifying the maltreatment of children, particularly in circumstances of domestic violence. In addition, many DART agencies have partnered with DCAFS, Child Protection, in shared protocols to clarify and coordinate reporting, investigative and legal procedures.

- The Dufferin County Child Maltreatment Investigation Protocol was updated in 2005 from the previous Child Abuse Protocol of 1995 to reflect changes that occurred during this period and coordinate the procedures of different sectors. Aside from DCAFS, Child Protection, signatories include the Crown Attorney, Dufferin OPP, Orangeville Police Service, Shelburne Police Service<sup>14</sup> and Headwaters Health Care Centre.
- The Collaboration Agreement for the Children’s Aid Societies and Violence Against Women Agencies of County of Dufferin was developed in 2003 to collaborate in areas where their work intersects. In addition to DCAFS, Child Protection, signatories include Family Transition Place and Catholic Family Services Peel Dufferin.<sup>15</sup>

### Definition of Maltreatment<sup>16</sup>

Maltreatment will be defined as:

1. Physical harm
  - Physical assault of a child without injury.
  - Non-accidental use of physical force, resulting in physical injury or death.
2. Sexual harm
  - An assault or touching or invitation to touching, in circumstances which violate the sexual integrity of the child victim.
3. Severe neglect
  - The situation or conditions where there is inadequate care and nurturance of a child that could seriously impair her/his emotional or physical health and development.
4. Emotional harm
  - A pattern of negative caregiver behaviours or repeated destructive interpersonal interaction by the caregiver to the child. **Children who witness/are exposed to domestic violence can suffer from emotional harm.**

### Duty to Report<sup>17</sup>

1. Duty to Report

Section 72 (1) of the Child and Family Services Act places an expectation on professionals and the public to report a child in need of protection:

"Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one

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<sup>14</sup> Hereafter called “Police.”

<sup>15</sup> This Collaboration Agreement applies to the residents of Dufferin County only. Peel Children’s Aid Society, which serves the residents of Caledon, has led the development of a comparable agreement tailored to the Peel population called The Collaboration Agreement for the Children’s Aid Societies and Violence Against Women Agencies of Regional Municipality of Peel, 2003.

<sup>16</sup> Information in this document, except that which is specified as the Child and Family Services Act, was adapted from the Dufferin County Child Maltreatment Investigation Protocol, 2005.

<sup>17</sup> Child and Family Services Act, Revised Statutes of Ontario. September 1, 2000, Chapter C.11, Section 72.



of the following, the person shall forthwith report the suspicions and the information on which it is based to a Society."

2. Ongoing Duty to Report

Section 72 (2) of the Child and Family Services Act states:

"A person who has additional, reasonable grounds to suspect one of the matters set out in subsection (1) shall make a further report under subsection (1) even if he or she has made previous reports with respect to the same child."

3. Person Must Report Directly

Section 72 (3) of the Child & Family Services Act states:

"A person who has a duty to report a matter under subsection (1) or (2) shall make the report directly to the Society and shall not rely on any other person to report on his or her behalf."

**Definition of a Child in Need of Protection**<sup>18</sup>

Section 37 (2) of the Child & Family Services Act states that a child is in need of protection where:

- a) The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,
  - (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;
- b) 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,
  - (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;
- c) 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;
- d) There is a risk that the child is likely to be sexually molested or sexually exploited as described in clause (c);
- e) 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;

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<sup>18</sup> *Ibid.*, Section 37.

- f) The child has suffered emotional harm, demonstrated by serious,
  - (i) anxiety
  - (ii) depression
  - (iii) withdrawal
  - (iv) self-destructive or aggressive behaviour, or
  - (v) 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;

The child has suffered emotional harm of the kind described in subclause (f) (i), (ii), (iii), (iv) or (v) 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;

- g) There is a risk that the child is likely to suffer emotional harm of the kind described in subclause (f) (i), (ii), (iii), (iv) or (v) 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.

There is a risk that the child is likely to suffer emotional harm of the kind described in subclause (f) (i) (ii), (iii), (iv) or (v) 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;

- h) 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 to consent to, treatment to remedy or alleviate the condition;
- i) 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.
- j) 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 to provide, or is unavailable or unable to consent to, those services or treatment.
- k) 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; or

- l) The child's parent is unable to care for the child and the child is brought before the court with the parent's consent and, where the child is twelve years of age or older, with the child's consent, to be dealt with under this Part.

### **Determination of Jurisdiction & Investigation Participants**

1. DCAFS, Child Protection Services, has the responsibility to investigate the alleged maltreatment of a child by a primary caregiver or a caregiver having charge of the child if the child normally resides within Dufferin County. If the child is currently visiting in Dufferin County, but her/his usual place of residence is elsewhere, the Society holding jurisdiction over her/his usual place of residence will be contacted. That Society may request assistance from DCAFS.
2. Shelburne Police Service has the responsibility to investigate the alleged maltreatment of a child if the alleged criminal offence occurred within the Town of Shelburne.
3. The Ontario Provincial Police Dufferin Detachment has the responsibility to investigate the alleged maltreatment of a child if the alleged criminal offence occurred within the County of Dufferin, with the exception of the towns of Orangeville and Shelburne.
4. Orangeville Police Service has the responsibility to investigate the alleged maltreatment of a child if the alleged criminal offence occurred within the Town of Orangeville.
5. In the case of domestic violence, Officers will provide a verbal or written referral when a family under investigation has children who are under 16 years of age, whether directly involved or witness to the incident or not.

### **Receipt of the Report**

The Ministry of Children and Youth Services Standards for Child Protection Cases regulates timelines in which a Child Protection Worker must see children of a referral. These timelines range from as soon as possible and within 12 hours of receipt of the referral, to within 48 hours of receipt of the referral to within 7 days of receipt of the referral. The Child Protection Worker in consultation with a Child Protection Manager will determine the timeline that must be followed by the Child Protection Worker, depending on the severity of maltreatment toward the child.

### **Procedure**

1. When a report of alleged maltreatment, either current or historical, is received by DCAFS, the Child Protection Worker will:
  - Obtain and record from the referral person detailed information about the allegations and the relevant parties (i.e., child, family and alleged abuser).
  - Check DCAFS' records regarding the child, family and alleged abuser.
  - Search the Provincial Database to determine whether there is any information on the system about contact between any Society and the child or any member of the child's family or the alleged abuser that may be relevant and record the relevant information concerning the contact.

- In physical and sexual abuse investigations, search the Child Abuse Register to ascertain if there has been a prior registration. The Worker will contact any child welfare agency, which has previously registered the alleged abuser and record the relevant information.
2. The DCAFS Child Protection Worker will report to the Police all cases of suspected child maltreatment in order to determine if and how a joint investigation should proceed. Although the Police can exercise discretion around their involvement, DCAFS will consult with the Police in all referrals of suspected child maltreatment. Police determination of whether to participate in a joint investigation will be made in accordance with the principles and policies in this Protocol.
  3. Upon contacting the Police, the DCAFS Child Protection Worker and the assigned Police Officer (herein referred to as the "Investigative Team") will review the available information and develop an investigative plan. The Investigative Team will negotiate when/where to meet and where to interview the child.
  4. If a determination has been made at the time of referral that the child is in a safe setting (such as school or daycare centre), a member of the Investigative Team will contact a staff member of the setting, advise her/him of the investigative plan and ask that the child be kept there until the investigation can commence. All efforts will be made to conduct the interview as soon as possible.
  5. The immediate safety of the child must be of primary consideration in any investigation. The potential for the child to be pressured or influenced into not making a disclosure must also be considered.
  6. If Police are unavailable and information exists to suggest imminent risk to the child, the DCAFS Child Protection Worker, after consulting with her/his Manager and with the Police, will proceed with the investigation.

### **Initial Interview of the Child**

1. In a joint interview, the Child Protection Worker will ensure protection of the child and the Police Officer(s) will determine if an offence has occurred. The possibility of domestic violence and the threat of harm from the perpetrator will always be considered in the investigative stage.
2. In this first stage, the following principles will be observed to ensure the wellbeing of the child:
  - There will be joint attendance if possible to minimize the number of interviews.
  - The interview will commence with the assumption of the child's ability to be credible. The allegations will be probed, but not through cross-examination.
  - The Investigative Team will proceed on the assumption that the child's report warrants a full investigation, whether or not there is a subsequent denial by the child. Recantation will not be taken as proof that the maltreatment did not occur.

3. When determined necessary by the Child Protection Worker and Police, a videotape/DVD will be used to record the initial and possibly subsequent interviews in an interview room that is conducive to interviewing children.
  - The Police will have charge of owning and preserving the tape - which may be used in criminal or child welfare proceedings - according to their policy.
  - The DCAFS worker will have access to a copy.
  - The Office of the Crown Attorney will - in accordance with Crown policy and law - determine disclosure of the tape to the defense.
4. Photographs will be taken of any injuries.
5. Team members will take detailed and contemporaneous notes throughout the investigation.

### **Further Investigation**

1. The Investigative Team will interview the following persons as soon as possible.
  - Alternate caregiver to assess her/his capacity to protect the child and to secure information for the criminal investigation.
  - Siblings and other children in the care of the alleged offender, who will be interviewed separately and privately and with consideration for possible risk.
  - Other persons to whom disclosure may have been made, including professionals.
2. If the Child Protection Worker suspects or learns of domestic violence, s/he will provide information and referral to the victim, including legal options, that would hold the perpetrator accountable and increase her/his and the children's safety.

### **Interview of the Alleged Offender**

1. The Police Investigators will interview the alleged offender alone and at the earliest opportunity. Thereafter, the Police Investigators will make the fullest possible disclosure to the DCAFS Child Protection Worker.
2. If the DCAFS Child Protection Worker makes contact with the alleged offender and no Police Investigators are present, care will be taken not to discuss the offence until Police Investigators have been briefed.
3. Except where impractical, contact with the alleged offender will take place at the time and in the manner determined by the Police Investigators. Efforts will be made for this contact to take place as soon as possible within the context of the investigation.
4. The DCAFS Child Protection Worker will avoid discussing the incident with the alleged offender prior to the Police Investigators' interview. Once the Police investigation is complete, the Police will advise the DCAFS Child Protection Worker that s/he may now interview the alleged offender in relation to child maltreatment issues.

### **Protection of the Child**

1. In every child protection investigation, an initial safety decision will be made by the Child Protection Worker in consultation with her/his manager. If it is determined that a child has been or is at risk of being harmed, a plan will be developed to decrease the risk.
2. The following factors of domestic violence will be considered throughout all stages of an investigation and assessment:
  - Physical violence or injury to the child in an incident of domestic violence.
  - Willingness and ability of the domestic violence victim to participate in safety planning for the child.
  - History of the nature and types of domestic violence and use of the child in the abuse.
  - Impact of exposure to abuse on the child.
  - If the child is in need of protection from the domestic violence victim.
  - The perpetrator's current status in regard to the criminal justice system.
  - The perpetrator's history of charges, response to previous orders and conditions, history of stalking and access to weapons.
  - The perpetrator's history of acceptance of responsibility and treatment.
3. If the child protection concerns are verified, the Child Protection Worker will observe the following principles in developing a plan:
  - Attempt to work cooperatively and voluntarily with the alternative caregiver to implement a protection plan.
  - Attempt to coordinate service with other involved providers such as Family Transition Place.
  - Assessment of risk if the alleged offender has access to the child.
  - Consideration of the least disruptive course of action, if the child cannot be protected at home.

### **External Support in Regard to Domestic violence**

1. Where the woman and child are residents of Family Transition Place:
  - The agencies will agree on their respective roles and responsibilities and reinforce them in communication with the mother.
  - If consent is given, the DCAFS Child Protection Worker will share the terms and conditions of court orders, history of allegations, plan of care and any other issues that affect a client's residency in the shelter.
  - If consent is not given, the DCAFS Child Protection Worker will relay when an interview with a child will take place, if a child is to be placed in DCAFS' care, if criminal charges have been laid and if there are court orders with terms and conditions of access.
  - Regardless of consent, both agencies will take action to preserve the safety of child and mother when there is a serious threat of harm.
2. The DCAFS Child Protection Worker will refer clients to needed support and counselling programs.

3. Where charges have been laid:

- The Crown Attorney's Office will coordinate with the Victim Witness Assistance Program to update the domestic violence victim and child on the court process, prepare the witness and provide other services.
- Police will ensure that the domestic violence victim is notified of the offender's conditions of bail and other court processes.
- The DCAFS Child Protection Worker will hold the perpetrator accountable by recommending court ordered participation in PAR or other community programs. Fathers should also be instructed by the court to support their children's participation in programs dealing with exposure to abuse.

**We are committed to collaboration within the  
Domestic Assault Review Team.**

**Counselling, Shelter  
and Support Services**



## **Catholic Family Services Peel Dufferin - Partner Assault Response (PAR) Program**

*“Our mandate is to strengthen families and help stop family violence.”*

<b>Address:</b>	10 Gillingham Drive, Unit 201 Brampton, ON L6X 5A5
<b>Area served:</b>	County of Dufferin and Town of Caledon
<b>Accessibility:</b>	Service provided in 16 languages. Check locations for wheelchair accessibility.
<b>Hours:</b>	Office: 8:30 am – 9:00 pm M-Thu, 8:30 am – 5:00 pm F No after-hours service.
<b>Telephone:</b>	(905) 450-1608, ext 122 and toll-free in Dufferin 1-888-940-0584
<b>Website:</b>	<a href="http://www.cfspd.com">http://www.cfspd.com</a>

### **Services**

**Catholic Family Services Peel Dufferin (CFSPD) will provide Partner Assault Response (PAR) programming in the regions of Caledon and Dufferin.**

#### **1. Partner Assault Response Program**

- A Partner Assault Response (PAR) group program is an essential component of operations in the Domestic Violence Court. The program is funded by the Ministry of the Attorney General and managed according to the Ministry’s *Program Standards*.
- PAR is a sixteen-week therapeutic group which seeks to help men stop their violent, abusive and controlling behaviour toward their female partners.
- Service locations in Peel Region (Caledon) and Dufferin County (Orangeville).
- Accepts adult men (18 years and over) who are or have been physically and/or emotionally abusive to their partners.
- Types of referral sources:
  - Mandated referral of post-adjudicated men either pre-sentence through the Domestic Violence Court Early Intervention Program or after criminal conviction by Probation and Parole. Letters of acceptance/rejection and completion/discontinuation of the Program will be provided to the referring agency.
  - Mandated or negotiated referral from Dufferin Child and Family Services or other Children’s Aid Society.
  - Community-based referrals through professionals, friends or partner. With the client’s permission, a letter will be sent regarding his progress.
  - Self-referral by any man not involved in court.

- Quick access to service, the groups have an open format and accept new men weekly.
- Fees and an intake interview are required for the Program. Although fees are considered an important part of holding a man accountable for abusive behaviour, it is recognized that some individuals may be unable to pay full fees. In its commitment to serve poor and marginalized persons, CFSPD will negotiate fee reductions according to its policy and procedures.
- Up to four cultural interpreters can be accommodated in a group.

**2. Alternatives to PAR group programming:**

- For persons who have been mandated to attend PAR and are not served appropriately within the group program.
- Women:
  - In Peel Region, women will be referred to Merge Counselling and Education Services in Mississauga.
  - In Dufferin County, women will be offered individual counselling through CFSPD.
- Men in the LGBTQ community:
  - In Peel and Dufferin, they will be referred, if desired, to the David Kelly Services PAR Program in Toronto or offered other types of service, including individual counselling.
- Women in the LGBTQ community:
  - In Peel, they will be referred to the David Kelly Services or to Merge Counselling and Education Services.
  - In Dufferin, they will be referred to David Kelly Services or offered other types of service.

**3. Partner Contact:**

- A subsidiary service within the PAR program.
- Staff make monthly telephone contact with the person harmed and/or the client's new partner (if there is one) to provide information about the PAR Program, assess safety and well-being, offer service and assist with safety planning.
- Managed by counsellors, who have no direct contact with the PAR client.
- Service locations in Peel Region (Caledon) and Dufferin County (Orangeville).
- No fees.
- Language resources available

CFSPD service, located in Caledon and Dufferin, for families experiencing domestic violence

**Adults Who Have Experienced Childhood Abuse**

Counselling services for adults who have experienced trauma from childhood abuse:

- Support groups for women who've experienced trauma related to sexual, physical, emotional abuse and neglect in childhood and adolescence.
- Individual counselling for women and men to explore the impacts of childhood abuse.
- Couple and family work to support the healing process.

## **Partner Abuse**

Comprehensive services for families experiencing partner abuse:

- Support groups for women who have been abused by their partners.
- Individual and family counselling for women and men who have been abused by their partner.
- In conjunction with Family Transition Place, support groups for women who have experienced domestic violence.

CFSPD services, located in Caledon and Dufferin, that are not directly related to domestic violence

## **Individual, Couple & Family Program**

Through Individual, Couple or Family work, this program strives to improve relationships, reduce emotional distress and enhance personal well-being by providing support for the following:

- Individuals experiencing loneliness, low self-esteem, anxiety, depression, work concerns, bereavement and other life stressors
- Couples experiencing relationship difficulties including poor communication, lack of intimacy, affairs, extended family pressures, or contemplating separation/divorce
- Families coping with developmental transitions, cultural adjustment, parenting, step-family concerns, separation or divorce or other relationship concerns.

## **Walk In Clinics**

Dufferin clients also have the option to attend the weekly walk- in clinic in Brampton or Mississauga. At the Walk-in session counsellors work together with the individual, couple or family to identify steps to begin making positive change. For some the Walk-in session may offer enough new ideas however, clients who require additional services after Walk-in will be placed on the Dufferin County wait list. Services offered at walk in include:

- Individual, Couple & Family Therapy
- Partner Abuse Individual and Family Counselling
- Trauma counselling for Adults Who Have Experienced Childhood Abuse

## **Responsibilities**

### **Partner Assault Response Program**

#### 1. Referral

Mandated referrals are made by Probation and Parole, the Crown Attorney's Office, Victim Witness and the Children's Aid Society.

- To facilitate access, Orangeville Probation and Parole contact CFSPD and book Intake sessions on behalf of their clients.

- Men who are referred to the PAR Program by the Crown Attorney's Office as part of the Early Intervention Program must CFSPD's Centralized Intake within 48 hours of their referral.
- Clients from all other referral sources are required to call CFSPD's Centralized Intake to book an intake session with a caseworker/Program staff.

CFSPD staff will document all referrals to the PAR program including the:

- Date and time of the client's call(s) to the program.
- Date and time of CFSPD staff attempts, successful or not, to reach the client.
- Nature of the charges laid against the client
- Nature of the client's plea in court, as well as the resulting conviction
- The referral source.
- Location of the court in which the client appeared

## 2. Intake

A CFSPD Caseworker / Counsellor will conduct a face-to-face intake interview with all PAR clients. The purpose of the intake meeting is to:

- Initiate a therapeutic relationship
- Explain informed consent and exceptions to confidentiality
- Sign all required consent forms for the PAR program in order to facilitate coordinated service and engage in Partner Contact
- Assess the safety of the client, partner(s) and children.
- Collect demographic information regarding the client and family.
- Orient the client to the Program, explain the policies and procedures and answer questions.
- Begin the process of challenging denial, minimization and blaming.
- Provide clients with an orientation package including CFSPD brochure, welcome document, participation agreement, the date, time and location of group (for men), or number of sessions and individual counselling plan for (women).

For clients referred by Probation and Parole or the Crown Attorney's Office, the following documents help the PAR Program staff to understand the nature of the offence, its impact on the victim, the conditions by which the client is bound, the level of risk involved and the client's willingness to be accountable for using abusive behaviours.

The client should bring to the intake meeting all applicable documents from the list below:

- Probation Order (if appropriate)

- Revised bail conditions (Early Intervention Program)
- Proof of legal name
- Current mailing address and phone number(s) where they can be contacted.
- Name of collateral contact (Probation Officer, Crown Attorney, CAS Worker, etc.).
- Name and contact information for a) the person harmed, b) current partner
- Name and contact information for Ontario Works or ODSP Worker, if applicable

3. Notification of acceptance or non-acceptance into the PAR Program

CFSPD staff will fax written notification to the referral source upon a client's acceptance or refusal of admission into the PAR Program. If a drug or alcohol problem is suspected, a treatment program will be recommended.

4. Notification of missed intake sessions

CFSPD staff will take the following steps when mandated clients miss their scheduled intake session;

- Fax written documentation to the referral source if a client schedules and then fails to attend an intake session with Program Staff.
- **For Early Intervention clients**, staff will fax written documentation of the client's failure to contact the Program to the Crown Attorney's Office, within 48 hours of the time set on the revised Recognizance of Bail.

5. Group Format and Procedures

- The PAR group will include sixteen rotating themes, covering the mandatory contents of the PAR Program. They are designed to invite those who have used violence in intimate relationships to:
  - Reflect on their behaviours.
  - Understand the impact of their actions on themselves and others.
  - Learn new ways of relating in their intimate relationships with partners and with their children.
- The topics are organized under the following thematic headings:
  - Intimacy and Relationships,
  - Perception
  - Preferences
  - Safety
  - Potential
  - Responsibility
  - Acceptance

- Consequence
  - Learning
  - Remorse
  - Compassion
  - Apology
- Whenever possible, leadership of the group will involve a co-gendered team to model equality and respect and challenge oppressive power relations between men and women. Facilitation may also include students, interns from partner agencies, volunteers and up to four cultural interpreters.
  - The group format will consist of:
    - Fifteen minutes before group's start: attendance check and payment of fees.
    - Prompt start at stated time. Those who are not present will be considered as missing a session.
    - Announcements and agenda review.
    - Check in with all participants regarding successes and struggles over the past week
    - Lesson on the specific curriculum topic.
    - Discussion of the topic.
  - If a client engages in unusual behaviour or makes statements which suggest that his/her partner is at risk, the Partner Contact Program staff will be notified immediately in order to contact the partner(s) and to discuss safety planning.

#### 6. Follow-up interventions with legally mandated clients

##### Absences and Failures

- For all clients, staff will:
  - Fax written documentation if a client misses a session or fails the Program entirely within 24 hours

##### Re-offence

If a client re-offends, staff will notify police, probation or other legally mandated services within 24 hours. Furthermore, should the client present a risk to his current or past partner, the Partner Contact Program will be advised. The Partner Contact Program will contact the woman immediately to discuss safety planning. If the client is charged, he will become ineligible to participate in the PAR program until the adjudication process is completed.

If the woman discloses that a re-offence has occurred and:

- She wishes to report it to Police or Probation; the PAR Program will provide full cooperation with the Partner Contact Program in doing so.
- She wishes not to report this information, the PAR Program will respect her right to confidentiality

#### Premature Termination

Program staff will caution a client who is at risk of termination, but does not present an imminent risk of danger to others. In the case of actual expulsion, staff will notify the referral source, Police or appropriate partners within 24 hours and document the reasons. The victim will be advised immediately in situations involving risk to her or others.

Clients can be expelled for the following reasons:

- More than two absences in one 16-week cycle.
- Continued non-payment of fees.
- Pattern of attendance under the influence of drugs or alcohol.
- Behaviours in or out of the group that seriously undermine treatment.
- Disclosure of a serious mental health or medical condition that necessitates a different form of treatment.
- Presents a risk of danger to group members or staff.

#### 7. Completion of PAR Program

When a legally mandated client completes the group staff will notify the referring agency.

The person harmed will also be notified.

Staff will send letters to all clients - legally mandated and voluntary – acknowledging their completion of the Program and encouraging them to seek additional services if necessary. Where a drug or alcohol problem is known or suspected, clients will be urged to enter a certified treatment program.

#### **Partner Contact Program**

With the consent of the PAR client, Partner Contact Program Staff will contact the current/previous partner to explain the group process, address concerns, encourage safety planning, clarify ongoing contact and offer women's group orientation or an individual counselling session.

Permitted provision of information will include the client's attendance in the program, disclosure of abusive behaviour, any attempts to disrupt the group and caution around her/others' safety as indicated by the clients' behaviours. Partners who inquire will also be informed of all program fees paid by the client.

## **Child Protection Protocol**

### 1. Reporting requirements

In accordance with Section 72.3 of the Child and Family Services Act, all CFSPD Staff, students, volunteers and cultural interpreters will report any child protection concerns to the Children's Aid Society in the area where the child resides. In Dufferin County, Dufferin Child and Family Services (DCAFS) is incorporated as the Children's Aid Society. Caledon is served by the Children's Aid Society of the Region of Peel (Peel CAS).

### 2. Violence Against Women (VA W) and Children's Aid Society (CAS) Protocol<sup>19</sup>

According to the CAS/VAW Protocols in Peel Region and Dufferin County, CFSDP will collaborate with the CAS agencies at certain points where their work intersects.

It is noted that the CAS and CFSDP will hold the perpetrator accountable by recommending, for example, court ordered participation in PAR Programs. Fathers should also be instructed by the court to support their children's participation in programs dealing with exposure to abuse.

## **Collaboration**

The CFSPD PAR Program is part of a broader criminal justice and coordinated community response to domestic violence and domestic violence. The Supervisor of the PAR Program will participate as a signatory on the Domestic Violence Court Advisory Committee (DVCAC) and the Domestic Assault Review Team (DART).

**We are committed to collaboration within the  
Domestic Assault Review Team.**

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<sup>19</sup> CFSPD is a signatory to two versions of the Collaboration Agreement for the Children's Aid Society and Violence Against Women Agencies, one in the Regional Municipality of Peel and the other in the County of Dufferin



## County of Dufferin - Community Services

*“The County of Dufferin Community Services Department is dedicated to improving the well-being of individuals and families in our community by connecting people to resources, supports and opportunities”*

<b>Address:</b>	229 Broadway Orangeville, ON L9W 1K4
<b>Area served:</b>	County of Dufferin
<b>Accessibility:</b>	Accessible by Wheelchair
<b>Hours:</b>	Business hours: 8:30 am – 4:30 pm M-F
<b>Telephone:</b>	519-941-6991 and toll free 1-877-941-6991
<b>Website:</b>	<a href="http://www.dufferincounty.on.ca">http://www.dufferincounty.on.ca</a>

### Services

The County of Dufferin Community Services department provides the following services on behalf of Dufferin County Residents:

#### 1. Ontario Works

The Ontario Works Service vision is to achieve improved employment outcomes for Ontario Works participants, leading to sustainable employment and financial independence.

The Ontario Works program:

- Recognizes individual responsibility and promotes self-reliance through employment;
- Provides temporary financial assistance to those most in need while they meet obligations to become and stay employed;
- Effectively serves people needing assistance; and
- Is accountable to the taxpayers of Ontario.

Some of the Supports provided by Ontario Works Dufferin include:

- Addiction Services Initiative (ASI)
- Basic Education/Literacy Testing;
- Job Specific Skills Training;

- Community Placements;
- Employment Placements;
- Enhanced Employment Services;
- Learning, Earning and Parenting Program (LEAP); and
- Family Support Worker.

## 2. Children's Services

- The Ontario Early Years Centre (OEYC) is a place where parents and caregivers can get answers to questions, information about programs and services that are available for young children, and an opportunity to talk to early years professionals, as well as other parents and caregivers in the community. Services include: Early Learning Activities; Parent and Caregiver Education; Parenting Support; Information on Local Community Services; Early Literacy; Outreach Services; and Volunteer Recruitment/Coordination. Early Years Services are free.
- The Ontario Early Years Centre-Dufferin Transportation Program is set up to provide transportation to essential services, for families with children aged 0-6. The main objective of the program is to help alleviate transportation as a barrier for 'Early Years' families in accessing Ontario Early Years Centre programs, and other essential services within the County of Dufferin.
- Child Care Fee Subsidy provides financial assistance to eligible families towards the cost of licensed child care that is close to home, school or employment. Fee Subsidy is also available to families who have a child with special needs.
- Ontario Works Child Care is provided to participants of Ontario Works (OW) who require child care to fulfill their participation agreement commitments, or those who are pursuing educational and employment opportunities.
- Wage subsidies enhance the salaries and benefits of staff employed in child care centres, home child care programs, and agencies that provide supports to children with special needs. The County of Dufferin Children's Services Unit is responsible for planning and managing the wage subsidy program within the parameters of provincial legislation, regulation, standards and policies.
- Special Needs Resourcing is funded by the County of Dufferin and provided by Community Living Dufferin. This program allows Early Interventionists to attend licensed child care centres and support the inclusion of children with developmental delays from aged 2 until they enter school. This program is offered at no additional cost to families or child care centres.
- Jean Hamlyn Day Care Centre is a Municipal Centre, owned and operated by the County of Dufferin. It is licensed by the Ministry of Community, Family and Children Services. Programming is planned to meet the needs of toddlers, preschool and school age children from the age of 18 months to 10 years. The Centre offers full and part time care and is open from Monday to Friday from 7:00 a.m. to 6:00 p.m.

### 3. Housing Services

- Housing Services are responsible for the administration and delivery of a wide range of housing services for the County of Dufferin. This includes maintaining the centralized waiting list for subsidized housing, managing and operating the County of Dufferin owned properties, administering the Rent Supplement Program and funding and administering the non-profit, co-operative, municipal and federal housing programs in the County of Dufferin. This service also administers the Special Priority Program (SPP) Housing List.
- Housing Services also administer the Homeownership Component of the Canada-Ontario Affordable Housing Program (AHP). The homeownership program can provide up to five percent (5%) in down payment assistance to eligible applicants, to assist them in purchasing a home to a maximum of \$10,000.

### 4. Homelessness Prevention Program

- The Homeless Prevention Program works to prevent individuals/families from being homeless. It will:
- Provide practical support to individuals and families who are without housing, experiencing a housing crisis, or require assistance to keep their housing;
- Examine all creative ideas and solutions to prevent eviction. This may include extensive cleaning, e.g. contracting cleaning staff, assistance to the tenant and/or negotiation with the landlord;
- Assist individuals/families access funds to pay for rent arrears or negotiate a re-payment agreement with the landlord;
- Assist individuals/families access funds to pay for utility arrears or negotiate a re-payment agreement with service providers;
- Advocate with individuals to have their basic needs met, such as food and clothing;
- Help individuals secure identification for the purpose of employment, health care, or to find housing;
- Assist individuals find other needed supports, such as counseling and employment assistance;
- Provide assistance to individuals and families to access needed services and supports. The assistance may range from providing information on the services and supports and process to access to developing a plan with applicant to keep housing;
- Complete application with individuals/families to pay for rent and utility arrears or negotiate re-payment agreements; and
- Provide information on community programs and referrals to appropriate agencies.

5. Emergency Management Program

- Every municipality, regardless of size or location, is vulnerable to emergencies. In Dufferin County potential emergencies include tornadoes, floods, winter storms and major transportation accidents. Emergency Preparedness by citizens and municipalities helps to minimize the impact that an emergency could have on our community. The emergency management program works to prepare our community for emergencies and disasters through the development of the Dufferin County Emergency Response Plan, hazard-specific and evacuation plans, training programs, emergency exercises, as well as public education and awareness.

6. Employment Resource Centre (ERC)

Dufferin County operates a free, self-directed resource centre available to everyone in the community. This provides:

- Access to information regarding education, the labor market, career assessment, workshops and job search strategies;
  - Free use of a computer, Internet, fax, phone and photocopying;
  - Assistance with searching for jobs and writing resumes/covering letters; and
  - Referrals to other community-based services.

**Responsibilities Re: DART Agencies**

1. Community Service Staff are in an ideal position to contribute to the prevention and detection of violence among children, women, and older adults and to intervene sensitively. To ensure this is the case Community Services are ensuring the provision of training to its staff to build on the resources available in the community. This will provide a common understanding of the problem of abuse and of the appropriate means of intervention, as well as to a shared sense of responsibility.
2. The County of Dufferin Community Services will strive toward a system that provides an abused woman and her children easy access to immediate crisis intervention, to safety, to financial and emotional help. Prompt response and easy access to services reduces risks to the woman and her children's safety and supports her in her decision to leave an abusive relationship. This must be accomplished in a sensitive manner that respects the diversity of our community. We will not allow an abused woman be placed in a situation where she is forced to contact her abusive partner for information that may result in further risk to herself and her children.
3. Our practices reflect our commitment to assist the abused person, not only financially, but also providing them with other community resources. Community Services is bound by the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Confidentiality

of information gathered is always imperative, but in this type of situation confidentiality is even more critical. In order to maintain the safety of the woman at risk of abuse, no information can be released without consent.

**We are committed to collaboration within the  
Domestic Assault Review Team.**

## Family Transition Place

*“Our mission is to promote safety and mutual respect in our community by providing safe shelter for abused women and their children, support and counselling so that abused individuals may build lives free from violence and abuse, and information and education towards the prevention of violence against women.”*

<b>Address:</b>	20 Bredin Parkway Orangeville, ON L9W 4Z9
<b>Area served:</b>	County of Dufferin and Town of Caledon
<b>Accessibility:</b>	Walk-in service provided. Wheelchair accessible.
<b>Hours:</b>	Business hours: 8:30 am – 4:30 pm M-F Crisis support: 24 hours/day, 365 days/year
<b>Telephone:</b>	519-942-4122 and toll free 1-800-265-9178 519-941-4357 905-584-4357
<b>Website:</b>	<a href="http://www.familytransitionplace.ca">http://www.familytransitionplace.ca</a>

### Services

**Family Transition Place (FTP) provides the following services:**

1. Residential services
  - Emergency shelter for up to 6 weeks for women (16 and older) and their children (under 16) who have experienced abuse.
  - 24-hour emergency transportation to come to the shelter.
  - Information, support and referrals.
  - Services for children.
2. Counselling services
  - Individual and group counselling.
  - Skill-building workshops for women.
  - Individual and group counselling for abused women who are current or past sexual assault survivors.
  - Services for children who have been exposed to abuse.
  - Services for men who have been sexually assaulted.
3. Crisis Services
  - 24-hour crisis and information line:
  - (519) 941-4357,
  - (905) 584-4357

- or 1-800-265-9178
  - TTY: (519) 942-1651
4. Outreach support services
    - Second stage supportive housing for up to 6 months for women over 16, with or without children.
    - Transitional support: Emotional support, safety planning, practical assistance and community referrals in making the transition to an independent, violent-free life. The focus is on identifying and achieving practical goals such as housing, job training, educational upgrading, etc.
    - Legal support services providing information, support and accompaniment (not legal advice, representation or mediation).
  5. Violence prevention
    - School-based programs for students and teachers.
    - Community initiatives.

**Family Transition Place (FTP) will provide the following accountability measures:**

1. Confidentiality

All FTP Staff will adhere to the confidentiality requirements of the Personal Information Protection and Electronics Document Act (PIPEDA). Clients will be informed at the outset of service regarding their rights and responsibilities.

2. Complaints resolution

Concerns regarding the quality or nature of service can be directed to the Manager of Residential and Outreach Services, Manager of Counselling and Violence Prevention Services or Executive Director. All complaints will be investigated and responded to according to agency policies and procedures.

## **Responsibilities**

### **Crisis Response**

#### **Initial response**

1. Upon receiving a crisis call, FTP will:
  - Clarify the concerns of the caller and provide crisis intervention as necessary.
  - In case of a recent assault, ascertain the victim's safety, any physical injuries and need for medical or Police intervention.
  - Encourage the victim to call 911 for emergency response service.
  - Offer to arrange transportation to seek medical attention.

2. Follow-up

- After crisis intervention, FTP will:
- Refer to other services internally or externally.
- Review the woman's safety plan.
- Provide information, referrals and support in response to her identified issues. (e.g., legal, income, housing, etc.).

### Legal Support Services

1. Client focus

The Legal Support Counsellor (LSC) will provide support and follow-up interventions for:

- Practical assistance with court preparation.
- Information and referral regarding legal resources.
- Assessment of eligibility for a free two-hour consultation with a family lawyer.
- Advocacy with other service providers.
- Accompaniment to court and legal appointments.

2. Interagency consultation and advocacy

If the client is involved in a criminal proceeding as a victim or witness, the LSC will encourage and support her to connect with:

- **Victim Services/Police.** The LSC will assist the client in understanding the impact on her and her children and the importance of Police laying charges.
- **Crown Attorney/Victim Witness Assistance Program.** When charges have been laid, the LSC will assist the client in making contact with the Crown Attorney/Victim Witness Assistance Program in preparation for court and may attend as a support person in any appointments with the Crown.
- **A health service.** The LSC will urge a woman to attend at her doctor's office or the hospital emergency department if she has been assaulted.
- **Probation/Parole.** The LSC will support a woman to cooperate with Probation/Parole for the completion of pre-sentence and other reports, particularly if there are safety concerns or non-compliance to probation or other orders.

### Protocol with the Police

FTP will work with the Police in a manner that best meets the needs of the client and the safety requirements of the shelter.

1. High risk assessment

When necessary, as part of the admission procedure, FTP will conduct a risk assessment with a tool called Guidelines for Assessing Lethality.



If a client coming into the shelter is considered to be high risk, FTP will notify the Dispatcher at the Orangeville Police Service. If the client has given consent, identifying information will be provided: her full name, date of birth, previous address and names/ages of the children accompanying her to the shelter. If the client has not given consent, FTP will advise the Dispatcher of a “high risk Jane Doe” together with her date of birth, previous location and the number of children accompanying her to the shelter.

In either case, FTP will provide full information about the partner and any information regarding access to weapons. The Police will enter this data into Canadian Police Information Centre (CPIC) so that it is available to other Police Services.

- It is understood that the Police will not share the woman’s location with the abuser or other person.

## 2. Discharge

FTP will notify the Dispatcher when a high-risk woman is discharged from the shelter. The Police will enter this data into the Record Management System.

## 3. Missing person report

The Police may call the shelter in response to a missing person report. FTP will call back to ensure that the caller is a Police Officer and, if the woman is resident, report that she is safe. If the missing woman is not at the shelter but has been in recent contact, FTP will provide this information.

However, if the woman was previously called in as a “Jane Doe,” FTP will suggest to the woman that she contact the Police. If the woman is unavailable or unwilling to call back, FTP will inform the Police that she is safe. The woman will be advised at the outset that this is a FTP policy procedure.

- It is understood that the Police will not disclose the location of the woman – only that she is safe.

## 4. Police calls to the shelter

If a Police Officer calls the shelter wishing to speak to a client, FTP will ensure that the caller is a Police Officer, state that she will try to contact her and call back within 10 minutes. FTP will suggest to the client that she call the Police on her own. If the client is unwilling, FTP will inform the Police of this information. If unable to contact the client, FTP will advise the Police of when (if possible) they might expect a return call. If the woman is not a resident of the shelter, FTP will provide this information.

- If the client is a partner or family member of a Police Officer, FTP will provide information to the Chief of Police, Detachment Commander, Staff Sergeant or designate only.

5. Police attendance at the shelter

Ideally, Police will notify shelter staff before attending. On site, Police will be expected to provide proper identification. Staff will escort Police to an office location to establish the reason for the visit and provide appropriate information. Should Police wish to meet with a client in the shelter, a quiet space will be provided. The client will have the option of including a staff member.

**FTP Protocol with Child Protection Services**

Reporting Requirements

In accordance with Section 72.3 of the Child and Family Services Act, all FTP staff, volunteers and students will report any child in need of protection to the Children’s Aid Society in the area in which the child resides. In the County of Dufferin, Dufferin Child and Family Services (DCAFS) is incorporated as the Children’s Aid Society. Caledon is served by the Children’s Aid Society of the Region of Peel (Peel CAS).

Children’s Aid Society (CAS)/Violence Against Women (VAW) Protocol

In 2001, the Ministry of Community, Family and Children’s Services initiated guidelines for developing locally based protocols between the Violence Against Women and Children’s Aid Society agencies across Ontario. The purpose was to ensure the Ontario-wide quality and consistency of VAW services as well as standards of collaboration between the VAW and CAS sectors.

The Dufferin County protocol, called the Collaboration Agreement for the Children’s Aid Societies and Violence Against Women Agencies of County of Dufferin, was signed in 2003 by Family Transition Place (FTP), Catholic Family Services Peel Dufferin (CFSPD) and Dufferin Child and Family Services (DCAFS).<sup>20</sup>

The protocol was dedicated to creating a shared understanding of woman abuse and child abuse/neglect, coordinating VAW and CAS services and, ultimately, increasing the safety of women and children. It specified the following seven points of collaboration where their work intersected:<sup>21</sup>

1. The CAS<sup>22</sup> 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.

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<sup>20</sup> VAW and CAS agencies serving Caledon in the Region of Peel participated in developing a separate but similar agreement, called the Collaboration Agreement for the Children’s Aid Societies and Violence Against Women Agencies of Regional Municipality of Peel, 2003.

<sup>21</sup> See the Dufferin County agreement for a complete description of the intersecting activities.

<sup>22</sup> The generic term of CAS will refer to DCAFS, which is responsible for child protection services in Dufferin.

2. The CAS Worker 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.
3. The CAS Worker is involved in developing a Plan of Service for a child in a case involving woman abuse.
4. The VAW Worker is trying to determine whether a situation constitutes reasonable grounds to suspect that a child may be in need of protection.
5. A woman and child are involved with both CAS and a VAW agency.
6. The CAS or VAW Worker is assisting a woman who is trying to negotiate custody and access agreements in order to increase her safety or that of her child.
7. The CAS and VAW agencies will continue to work toward a shared vision of eliminating violence against women and children.

Of particular interest to FTP is the fifth point, which specifies that where the woman and child are residents of a VAW shelter, the CAS and VAW agency will produce a written agreement on their respective roles and responsibilities in relation to the woman and her child(ren). The VAW agency refers to its own policy in order to complete a notification form. For other VAW services, the agreement can be verbal.

**We are committed to collaboration within the  
Domestic Assault Review Team.**

## John Howard Society Peel-Halton-Dufferin

*“The Society’s mission is the prevention of crime through research, community education, the promotion of systemic change and restorative services to individuals.”*

<b>Address:</b>	184 Broadway Orangeville, ON L9W 1K3
<b>Area served:</b>	County of Dufferin and Town of Caledon
<b>Accessibility:</b>	Walk-in service provided.
<b>Hours:</b>	Business hours: 9:00 am – 4:30 pm M-F No after-hours service.
<b>Telephone:</b>	(519) 940-3061
<b>Website:</b>	<a href="http://www.johnhowardphd.ca">http://www.johnhowardphd.ca</a>

### Services

**John Howard Society Peel-Halton-Dufferin (JHS PHD) will provide the following services in Caledon and Dufferin:**

1. Resource Centre
  - Free, self-directed resource centre available to everyone in the community age 16 and over.
  - Access to information regarding education, the labor market, career assessment, workshops and job search strategies.
  - Free use of a computer, Internet, fax, phone and photocopying.
  - Assistance with searching for jobs and writing resumes/covering letters.
  - Referrals to other community-based services.
2. Verification and Bail Supervision Program
  - A program funded by the Ministry of the Attorney General for accused persons appearing before the court for a bail hearing.
  - Provides an alternative to pre-trial custody in the absence of a surety.
  - Available for males and females 16 years and older, who:
    - Are in custody and awaiting a bail hearing or requesting a bail review.
    - Are considered not likely to attend court if released on bail.
  - Operates from the Orangeville Provincial Court at 10 Louisa Street and 184 Broadway.
  - Referral from lawyers and any other source, including the accused person.

3. Dufferin Housing Help Centre

- Free centralized housing registry for landlords providing rental units and persons seeking affordable housing in Dufferin County. Registry can be accessed 24 hours/day on the Internet or by phone.
- Targeted to individuals, families, seniors, youth, and students in the County of Dufferin, who are homeless, at risk of being homeless or in need of affordable housing.
- Provides crisis intervention, assistance in accessing emergency shelter, assistance in applying for subsidized housing and housing support.
- Offers information and referral regarding the Tenant Protection Act.
- Reaches out to landlords in the private sector to expand the availability of rent supplement units.

**John Howard Society Peel-Halton-Dufferin (JHS PHD) will provide the following services in the Regions of Peel, Halton and Dufferin.**

1. Verification and Bail Supervision Program

Described above, available in Dufferin, Peel and Halton.

2. RESOLVE: Anger and Emotions Management Program

A practical, educational group-training program, that teaches participants self-monitoring and self-management skills. Development of these skills assists participants in reducing the intensity, frequency and duration of their anger and preventing their pattern of aggression. The program targets adolescent (13-24 years) and adult males (25 years +) at risk for inappropriate or violent behaviour and, in many cases, anti-social recidivism. It is offered four times/year in the spring, summer, fall and winter in Dufferin Peel and Halton. Call the Orangeville office for referral.

3. Institutional Services and Discharge planning

A pre-release planning program located at the two local adult male correctional centres - Ontario Correctional Institute (OCI) in Brampton and the Maplehurst Correctional Complex in Milton. The program provides individual counselling of one or more sessions to plan a process for community reintegration. For inmates of all other institutions, services are available by mail or telephone contact.

**John Howard Society Peel-Halton-Dufferin (JHS PHD) will provide the following accountability measures:**

1. Confidentiality

As the John Howard Society Peel-Halton-Dufferin has a variety of services, the confidentiality practice of each program is set out in its own policy documentation. The policy and procedures will:

- Safeguard the confidential nature of all records.

- Protect against unauthorized disclosure of information.
- Provide required procedures for the release of information.
- Conform to the provisions of applicable legislation.

## 2. Complaints resolution

Concerns regarding the quality or nature of service or decisions affecting the client can be directed to the Managing Director. All complaints will be investigated and responded to according to agency policies and procedures.

## Responsibilities

### Verification and Bail Program<sup>23</sup>

1. The Bail Program will fulfill three major functions, as defined by the Ministry of the Attorney General:
  - To identify the availability of a surety.
  - To provide verified, factual information about an accused person at judicial interim release proceedings. This information will assist the court to determine suitability for release under the supervision of the Bail Program.
  - To provide supervision, counselling and referral services to individuals who are released from custody by the courts under the condition of supervision.

Throughout, the Bail Program Worker will record interview and contact information as set out in the Service Agreement.

2. To identify eligible individuals for the Bail Program, the Worker will:
  - Make every effort to have early and adequate access to accused people in court lock-ups, jails and detention centres.
  - Review the process of verification, bail and supervision with accused persons, explain the limits of confidentiality (that any information relevant to the bail process will be shared with appropriate justice officials) and gain consent to proceed, in writing if possible.
3. To provide verification, the Bail Program Worker will:
  - Interview the accused person to identify appropriate and agreed sources of information regarding surety and his/her suitability for supervision.
  - Investigate and verify the identified sources, taking care to avoid jeopardizing positive involvements, such as employment.
  - Assess the provision of bail supervision considering the following factors:
    - Unavailability of a bail surety.
    - Not more than three previous failures to appear in court or comply with previous court or probation orders.
    - Ability to comprehend legal obligations and expectations.

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<sup>23</sup> Adapted from the Bail Verification and Supervision Program Standards and Procedures Manual, 1998.

- Ability and willingness to comply with suggested conditions of release.
  - Conditions necessary for effective supervision.
  - Inform the court of the accused person's suitability for supervision and availability of an appropriate surety, through the Bail Program or alternate course of action.
4. Upon receipt of a bail release order, the Bail Program will:
    - Assign a Bail Program Worker to see the accused person as ordered by the court.
    - Attempt to establish contact with the accused person within three working days.
    - Where a reporting schedule is discretionary, a minimum of weekly, in-person appointments will be set.
  5. At the initial and subsequent supervision interviews, the Bail Program Worker will communicate, document and update the following.
    - The conditions of the Judicial Interim Release Order.
    - The schedule and method of reporting.
    - The possible consequences of non-compliance.
    - A review of impending court dates.
    - The purpose of bail supervision, including the limits of confidentiality.
    - The terms of the Bail Supervision Contract.
  6. Following the initial interview, the Bail Program Worker will determine and document the presenting problem, needs and plan of supervision. Included will be:
    - A mandatory formal assessment (LSI-OR) to determine areas of risk and need.
    - A goal plan to address the identified risk factors.
    - Referral to needed programs dealing with substance abuse, employment, etc.
  7. If an accused person, placed on supervision with the Bail Program, fails to comply with the conditions of release, the Bail Program Worker will inquire into and review each alleged violation to assess whether to initiate enforcement proceedings. The following will be taken into consideration:
    - The seriousness of the alleged violation.
    - Extenuating circumstances.
    - Admissible evidence.

If enforcement proceedings are deemed necessary for the accused person a warrant under Section 145.(3) of the Criminal Code will be issued.
  8. A case will be designated as inactive when:
    - A warrant has been issued under Section 145.(3) of the Criminal Code.
    - The accused is confined or detained in a correctional or treatment facility for a period exceeding 90 days.
  9. A case will be closed upon:
    - Revocation/surrender of the bail order.
    - The termination of all orders requiring Bail Program supervision.

### **Resource Centre Services**

1. A Community Worker will be available on a daily basis to voluntary clients walking in, calling or attending face-to-face appointments to:
  - Complete an intake process.
  - Facilitate a self-directed plan with issues that are related to employment, housing, or life skills.
  - Provide necessary information for other community services.
  - Make the necessary referrals for clients, who have identified needs and risks, to the appropriate agency or agencies.
  - Complete RESOLVE: Anger and Emotions Management Assessment and Program

**We are committed to collaboration within the  
Domestic Assault Review Team.**



## Peel Children's Centre - Child Witness Program

*Peel Children's Centre's Child Witness Program (CWP) provides information and support to children/youth who have experienced or witnessed sexual or physical violence and are required to testify in criminal court.*

<b>Main Address:</b>	85A Aventura Court, Mississauga, ON L5T 2Y6
<b>Dufferin County</b>	
<b>Satellite Office:</b>	20 Bredin Parkway, Orangeville, ON L9W 4Z9
<b>Area Served:</b>	Dufferin County, Peel and Halton Regions
<b>Accessibility:</b>	Wheelchair accessible
<b>Hours:</b>	Child Witness Specialists collaborate with families to provide flexible services. Appointments can be arranged between 9am – 8pm Monday to Friday to accommodate work and school schedules.
<b>Telephone:</b>	(905)-795-3500
<b>Website:</b>	<a href="http://www.peelcc.org">http://www.peelcc.org</a>

### Services

#### The Child Witness Program

1. In collaboration with the Victim Witness Assistance Program (VWAP) Peel Children's Centre provides voluntary and free service to children and youth under 18 years of age at the time of referral who are victims and/or witnesses and may be called to testify in criminal court. To participate in this program clients may be residents of Caledon or Dufferin County or the crime may have occurred in Caledon or Dufferin County.

- Services include:
  - Education and support to child/youth and their supportive adults
  - Assessment and recommendations regarding child's needs to testify
  - Court preparation
  - Court accompaniment/support
  - Coping strategies
  - Assistance with Victim Impact Statements/Criminal Injuries Compensation Board applications
  - Referrals and follow up

### **Accountability**

1. Having an official protocol with VWAP regarding referrals and support, the CWP works closely with VWAP and their corresponding partners, the Crown Attorney and the police.
2. The CWP abides by the confidentiality process outlined in various pieces of legislation including the Personal Health Information Act, 2004, Health Care consent Act, 1996, Child and Family Services Act and the Children's Law Reform Act.
3. The CWP abides by the Child and Family Services Act and reports any concerns regarding child protection to the appropriate authority.
4. Should any concerns arise regarding the program including quality or nature of services they can be directed to the supervisor of the program at Peel Children's Centre.

### **Responsibilities**

The CWP works in collaboration with VWAP, receiving referrals directly from VWAP. Should a referral come directly from the family or a community professional, the CWP, with consent, will contact VWAP to make them aware of the client.

1. In collaboration with VWAP, provide the client and their family (as appropriate) with updates regarding the court proceedings.
2. Provide preparation and support to the child or youth victim/witness including participation in Crown meetings (when appropriate and in collaboration with VWAP), a tour of the court room and accompaniment and support on the day of testimony.
3. Advocate on behalf of the child or youth victim/witness regarding the use of testimonial aids.
4. Will provide testimony as required.
5. Report any security concerns in advance to the Orangeville Police, the Officer in Charge (OIC) and VWAP.
6. Report any breaches to the OIC and Crown and advise VWAP.
7. Make referrals to community-based agencies as appropriate.

**We are committed to collaboration within the  
Domestic Assault Review Team.**

# **Appendix**

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