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POLICE SERVICES BOARD

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REPORT
Police Services Board

For Information

File Class: 1-01-02-03

Cross-Reference File Class: Regional Municipality Of Peel
POLICE SERVICES BOARD
RECEIVED

DATE: July 15, 2009

SUBJECT: **DOMESTIC VIOLENCE OCCURRENCES**

FROM: Dan McDonald, Deputy Chief, Operations Support Services

SEP 03 2009

Registration No.: 09-365

File Class: P01

RECOMMENDATION

That this report be forwarded as an information item to the Police Services Board.

REPORT HIGHLIGHTS

- Having patrol supervisors undertake, manage, or review domestic violence investigations, ensure the requirements of Ontario Policing Standards LE-024 continue to be met.
- The mandatory charging guidelines, as set out by the Province of Ontario, are strictly adhered to. Where reasonable grounds exist to believe that an offence has occurred within an *Intimate Partner Relationship*, charges shall be laid.
- Changes to Directive 1-B-713 to ensure the supervisor is involved in the decision to lay dual charges
- Follow-up by Ministry of Community Safety and Correctional Services confirming implementation of recommendations made in 2006

DISCUSSION

1. Introduction

To inform the Police Services Board of the basic duties, functions and mandate of the Family Violence Unit in adherence to Ontario Police Standards LE-024 as well as Directive 1-B-713 and related directives dealing with Family Violence issues.

The Family Violence Unit is the policy centre for the following directives:

- Domestic Violence 1-B-713(F) - (Main Directive)
- Criminal Harassment 1-A-602(F)
- Domestic Violence Emergency Response System (DVERS) 1-B-718(F)

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DOMESTIC VIOLENCE OCCURRENCES

Elder Abuse 1-B-701(F)

Victims and Witness Assistance 1-B-710(F)

2. Background

The Peel Regional Police Family Violence Unit is an integral part of the administration of the police response to deal with family violence issues. As the policy/training centre for family/domestic violence, its members play an important role in ensuring compliance with both provincial and internal directives, ensuring that members are routinely updated and trained in this area. The Family Violence Unit is not an investigative unit. Incidents ranging from non-criminal matters to complicated and sometimes life threatening crimes are generally handled by front line uniform officers. In more serious matters, divisional criminal investigations personnel may take carriage of the case.

In January 2001, all police services in the Province of Ontario were required by Adequacy Standard LE-024, to train Domestic Violence Investigators and to select and initiate a police response model. Four models of service delivery were offered. Peel Regional Police chose '*Model D*', which allows for:

Designating patrol supervisors as Domestic Violence Investigators, who will be responsible for undertaking, managing, or reviewing all domestic violence investigations.

Other options available at that time included:

- a) ensuring that an adequate number of patrol officers are designated as Domestic Violence Investigators
- b) establishing a specialized unit of Domestic Violence Investigators responsible for undertaking, managing, or reviewing all domestic violence investigations
- c) designating a domestic violence occurrence as a threshold occurrence, thereby requiring that the investigation be undertaken or managed by a criminal investigator

Like Peel, most police services at that time chose model 'D' as this model met the organization's needs, with a limited number of officers (patrol supervisors) requiring the Ministry accredited training. Limitations in the employment of model 'D' have been realized, both in terms of thoroughness of investigations and liability issues, given that these investigations are conducted by front line officers who often have limited training and experience in this field. By having patrol supervisors undertake, manage, or review domestic violence investigations, the requirements of LE-024 continue to be met but in reality supervisors are seldom in a position to undertake or manage an entire investigation. They routinely review domestic violence investigations of officers under their supervision, but this is often after the fact, when key decisions have already been made.

DOMESTIC VIOLENCE OCCURRENCES

In the absence of that expertise being present throughout an investigation, some of the more subtle nuances and details may be overlooked. This is particularly significant when dealing with potential dual charge situations, where making the right decision in terms of "dominant aggressor" is critical.

The Ministry of Community Safety and Correctional Services recognizes the potential safety issues that arise when charges are laid against both parties and created an investigative aid to guide officers in these circumstances. This pamphlet is now being rolled out to officers as part of their ongoing training.

The domestic violence directive (1-B-713) has also been amended to ensure supervisors (with Domestic Violence Investigator designation) are involved in any decision to charge both parties.

Peel Regional Police responds to domestic calls with the highest priority (Priority E), and all calls in progress are attended by a minimum of two officers. The mandatory charging guidelines, as set out by the Province of Ontario, are strictly adhered to. Where reasonable grounds exist to believe that an offence has occurred within an *Intimate Partner Relationship*, charges shall be laid.

Enhanced methods of evidence collection, as detailed in the Adequacy Standards, are employed by officers in conducting a thorough investigation of an incident of Domestic Violence. This has resulted in an increase in the time required to fully investigate such matters. An example of this is the increased expectation by the courts that victim statements will be videotaped whenever possible. In reviewing the Adequacy Standards, it is apparent that Peel Regional Police not only embraces these requirements, but exceeds them.

3. Public Awareness and Safety Issues

Adequacy Standards and the Victims Bill of Rights (1995) identify the importance for victims of crime, especially domestic violence victims, to be given the opportunity to create a safety plan. Access to a safety plan is provided via the Peel Regional Police - Domestic Violence web page. In addition, the '*Intimate Relationship Domestic Violence/ Abuse*' pamphlet, promotes victim awareness, and provides a list of safety tips. This pamphlet was updated in November 2006, to reflect additional victim resources, such as web site contact information. Victims referred to Victim Services of Peel also benefit from detailed and individualized safety planning offered by this agency.

Peel Regional Police continues to take a precautionary approach in reporting to the Childrens Aid Society with every occurrence where a child is, or is likely to be, exposed to Domestic Violence. In making these referrals with regards to children deemed "at risk", this service goes beyond the requirements of the *Child and Family Services Act*.

When an officer and/or a member of Victim Services of Peel feels there may be a significant risk to the safety of any victim, that victim is eligible to receive a Domestic Violence Emergency Response System (DVERS) alarm.

DOMESTIC VIOLENCE OCCURRENCES

At the end of 2008, 79 DVERS alarms were installed, compared to 64 in 2007 and 58 in 2006. Once these alarms are activated, a Priority "E" response is made by officers. The Communications Centre is regularly updated as to DVERS locations as well as suspect details. The DVERS emergency alarm program has been enhanced through the addition of the Supportlink initiative. This involved the issuance of pre-programmed "9-1-1" cellular phones to clients, to allow them added safety when away from home (out of range of DVERS alarm). The installation/removal of DVERS/Supportlink hardware is coordinated by Victim Services of Peel, with regular status updates to the Family Violence Unit.

Additional services available to victims of Domestic Violence include, but are not limited to:

- access to the Victim Witness Assistance Program (VWAP), which assists the victim through all stages of the court process, once the matter is beyond the Bail Hearing stage. (Victim Services of Peel deals with victims through the Bail Hearing phase)
- affordable alternative housing
- community-based support systems for victims, and children exposed to domestic violence (also available to offenders)
- counseling services for victims and families (also available to offenders)
- first and second stage shelters
- free language interpreter services for domestic violence investigations

The Family Violence Unit recognizes the need to heighten awareness and provide education concerning domestic violence, both within the police service, and the community it serves. As such, the Family Violence Unit sets a high priority on providing public education, promoting awareness, and facilitating access to appropriate resources. In addition to the Peel Police Domestic Violence webpage, the *'Intimate Relationship Domestic Violence/Abuse,'* pamphlet provides citizens with information regarding domestic violence and identifies community agencies that provide assistance and support to victims. A listing of support agencies in the community is currently being catalogued on the internal departmental pages. This will not only assist officers in providing resources to victims, but also alert Peel Regional Police personnel of services that may be of benefit to the member or his/her family.

4. Training Issues (See Appendix I)

The Family Violence Unit also recognizes the importance of providing ongoing training, not only for our officers, but also by delivering presentations and/or training to community agencies and other service providers. In 2008, **597** police personnel received training in Domestic Violence and/or Victims' Issues. Presentations were also made to approximately **670** members of the public. This included outreach to members of our Muslim and Hindu communities, Spanish speaking domestic violence survivors, as well as a presentation to a Nigerian relief organization. The Family Violence Unit is responsible for delivering in-house domestic violence and victims issues training on the following courses:

DOMESTIC VIOLENCE OCCURRENCES

- Major Case Management
- Domestic Violence Investigators (extended from 3 to 4 days)
- General Investigative Techniques
- Advanced Patrol Training
- Ontario Police College Supervisors Course
- Recruit Training – (Supplementary to Ontario Police College Training)
- Auxiliary Police Officer Training
- Communications Personnel

Since January 2007, full time Divisional Family Violence Coordinators have been assigned to Divisions 11, 12, 21 and 22. A key function of this position is to augment the training needs of front line officers through platoon/parade training. This method of training delivery serves not only as a refresher, but also addresses policy changes or other concerns identified by the Family Violence Unit. By monitoring Domestic Violence investigations, and by identifying possible deficiencies, the Divisional Family Violence Coordinators are in a position to offer one on one direction to front line staff to improve this service delivery. A tenet of this position is to focus on the needs/safety concerns of the victim. The officers filling these positions take advantage of additional training, both internally and through the Ontario Police College, as such training becomes available.

5. Community Partnerships / Committees (see Appendix II)

Peel Regional Police continues to maintain long standing working relationships with a wide range of community/social services, focused on the needs of victims of domestic violence. As well, when opportunities or the need arises to interact or advise new organizations/committees, the Family Violence Unit is an active participant. These partnerships and participation in numerous committees has a positive impact on the quality of service provided to victims of domestic violence within the Region of Peel.

6. Statistical Information (see Appendix III)

Since 2005, domestic violence statistics have shown a modest increase, comparable to the increase in population. A contributing factor in this stability is the "zero tolerance / mandatory charge" approach towards domestic violence adopted by Peel Regional Police. Further, the Ministry of the Attorney General has created a Partner Assault Response Service program (PARS) which provides compulsory counseling for persons convicted of lower-level domestic related offences. Both of these approaches are designed to break the cycle of violence, and decrease recidivism.

CONCLUSION

Peel Regional Police continues to respond to and report on matters of Domestic Violence in a fashion consistent with, and in many cases, exceeding the direction of the various Adequacy Standards. Guidelines and policies continue to evolve and impact on the resources of this Service.

DOMESTIC VIOLENCE OCCURRENCES

A significant challenge to Peel Regional Police, from a family violence perspective, is to keep pace with the growing population. Also with over 100 languages being spoken in the region, front line police personnel face unique difficulties in assessing the needs of victims and their families.

Education of police personnel, both with regards to appropriate response to calls of this nature, as well as support services available, continues to be a primary role of the Family Violence Unit. With the addition of the full time Divisional Family Violence Coordinators, this education continues to be enhanced, resulting in improved service delivery to the residents of the Region of Peel.

In the spring of 2006 the Ministry of Community Safety and Correctional Services conducted an evaluation of this service's response to domestic violence. Some recommendations for improvement were made, which included:

- Education of staff on the PAR (Partner Assault Response) program
- Education of staff on use of Chantel's Place (Trillium Hospital) in domestic matters
- Reinforcement of the availability of free interpreter services
- Inclusion of community partners with training

In February, 2009 a follow-up was done to this evaluation. All of the recommendations have been implemented either in training, directive updates, or both.

Approved for Submission:



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For further information regarding this report, please contact Superintendent S. Maycock at extension 3600 or via email at Susan.Maycock@peelpolice.ca

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DOMESTIC VIOLENCE OCCURRENCES

APPENDIX I

Presentations by the Family Violence Regional Coordinator in 2008.

APPENDIX II

List of the Family Violence Unit community partnerships and committee memberships.

APPENDIX III

Family Violence statistics for 2005 to 2008.

APPENDIX IV

Peel Regional Police Directive I-B713 (F) Domestic/Family Disputes- Investigations of Civil Order.

APPENDIX V

Ontario Policing Standard LE-024.

APPENDIX I

Presentations to Police Personnel (Jan 1-Dec 31 2008)

▪ 2 x Front Line Supervisors Course	66 students
▪ 2 x General Investigative Techniques	66 students
▪ 8 x APT Courses (Constables)	253 students
▪ 3 x Recruit Training Courses	108 students
▪ 1 x Domestic Violence Investigators Course	30 students
▪ 1 x New Call Takers(Communications)	10 students
▪ 5 x Communicators Training	64 students

Presentations to Public (Jan 1-Dec 31 2008)

▪ NAS Canada (Nigerian Relief Organization)	70 attendees
▪ Hindu Temple Address	80 attendees
▪ Islamic Supreme Council	90 Attendees
▪ Spanish Survivors Group	28 attendees
▪ Community Crime Awareness Day	300 visitors
▪ Panelist- Sex Assault and Minorities	70 attendees

Topics Covered

- Definition(s)
- Domestic related offences
- Mandatory policies - charging and reporting
- Cycle of Abuse
- Effects of abuse on victim/children
- May/Illes and Hadley inquest implications
- Aim of police investigation
- Enhanced investigations
- Post arrest support for victim/witness
- Victim's safety and other victims' issues
- Criminal Harassment related domestics
- Firearms and Weapons in domestics
- Identifying the Primary Aggressor
- Risk Factors
- Police Perpetrated Domestic Violence
- Interpreter Services
- Court orders and Bail issues
- Community based support
- Review applicable legislation e.g. Family Law Act
- Child Custody Issues

APPENDIX II

Community Partnerships / Committees

The Family Violence Unit has a community partnership and/or committee membership with the following agencies:

- Armagh House
- Catholic Cross- Cultural Services of Peel
- Catholic Family Services of Peel
- Domestic Violence Court Advisory Committee
- Family Services of Peel
- India Rainbow Community Centre
- Interim Place I / II
- Merge Partner Assault Response
- Ministry of Community Safety and Correctional Services – Advisory Committee
- Multilingual Community Interpreter Services (M.C.I.S.)
- Our Place Peel
- Peel Childrens Aid Society
- Peel Committee Against Women Abuse(P.C.A.W.A.)
- Peel Committee on Sexual Assault (P.S.C.A)
- Peel Crown Attorneys Office
- Mississauga/Brampton Probation and Parole
- Region of Peel - Health
- Region of Peel - Housing
- Salvation Army
- Southern Ontario Family Violence Coordinators Network
- Trillium Health Centre Unit
- Victim Services of Peel
- Victim Witness Assistance Program
- Family Justice / Child Advocacy Centre Planning Committee

APPENDIX III

The information in this appendix relates to Family Violence statistics for 2005 to 2008.

The Family Violence occurrence categories are defined as follows:

(A) Intimate Relationship Occurrences

Statistics for this category relate to occurrences involving persons who are married, living common-law, same-sex couples and dating relationships, whether past or current. The statistics only identify the number of people charged. (Occurrence classification code 36003).

2005 - 1321 2006 - 2015 2007 - 1900 2008 - 1910

NOTE: These numbers are included within the statistical numbers provided in (B).

(B) Domestic Occurrences

These statistics include the intimate relationship criminal occurrences from above and verbal occurrences where no criminal offences have been committed. (Occurrence classification code 36003).

2005 - 5757 2006 - 6795 2007 - 7322 2008 - 6198

(C) Family Dispute Occurrences

These statistics relate to disputes between any family members (excluding disputes between intimate partners as above). Occurrence classification code 36007.

2005 - 3843 2006 - 3863 2007 - 4490 2008 - 4626

Currently, our Service does not record the total number of domestic incidents in its Annual Statistical Report, but that number can be ascertained by adding (B) Domestic Occurrences and (C) Family Dispute Occurrences together.

The total number of domestics (B) and (C) for the years 2005 to 2008 are;

2005 - 9600 2006 - 10779 2007 - 12018 2008 - 12731

APPENDIX III cont . . .

Variation in statistical numbers:

From 2005 to 2008, Domestic Violence statistics have shown slight variance, with an upward trend. The fluctuation in the statistics is within the expected norms, and reflective of the population increases and measure taken to reduce "no report" clearances.

<u>(A) Intimate Relationship</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
(Criminal)	1321	2015	1900	1910
<u>(B) Domestic Occurrences</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
(Verbal)	5757	6795	7322	6198
<u>(C) Family Dispute Occurrences</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
	3843	3863	4490	4626

Total number of (B) Domestic Occurrences and (C) Family Dispute Occurrences

<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
9600	10658	11812	12736

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