



DOMESTIC/FAMILY VIOLENCE OCCURRENCES LE-024

Effective Date: 2000/09/15

Amended: 2013/09/27

Policy Statement

It is the policy of the Regional Municipality of Peel Police Services Board that the policy requirements set out in this document shall form part of the Board Policies and the Chief of Police is hereby directed to comply with these requirements in his/her administration and operation of the Peel Regional Police.

1. Subject

The guiding principles under which procedures and processes relating to the undertaking and managing of investigations into domestic/family violence occurrences are to be established.

2. Specific Definitions

“domestic violence”

Is any use of physical or sexual force, actual or threatened, including emotional/psychological abuse or harassing behavior to a family member by another family member. It can include threats to harm children, other family members, pets and property. Domestic related offences include, but are not limited to the following:

- (i) homicide;
- (ii) physical assault;
- (iii) sexual assault;
- (iv) uttering threats;
- (v) criminal harassment (stalking);
- (vi) intimidation;
- (vii) forcible confinement
- (viii) mischief, in connection with domestic incident that obstructs, interrupts or interferes with any person in the lawful use, enjoyment or operation of property; and
- (ix) violation of a Family Court Order, Restraining Orders, exclusive Possession Order, bail condition, or recognizance to keep the peace arising out of, or in connection with a domestic incident

“family member”

Includes persons who are associated to each other through a family relationship, whether or not living together, including same sex relationships and also includes the following:

- (i) spouse, includes persons:
 - a. who are legally married to each other;
 - b. who are not married, but live together in a family type relationship; or
 - c. have a child in common and have lived together; and
- (ii) ex-spouse, includes persons:

- a. previously married to one another; or
 - b. legally separated by divorce; and
- (iii) currently or formerly dating, includes persons who:
- a. are not married but are currently, or were formerly, involved in an intimate relationship with each other; or
 - b. have a child together, but never lived together; and

“intimate relationship”

includes those between the opposite sex and same sex partners, which vary in duration and legal formality, and include current or former dating, common-law and married couples

“child”

Includes persons descending from the same parents, including siblings and stepsiblings, and foster and adopted children

3. Policy Requirements

The Board directs that this section of the policy and any police service directive and/or procedure relating to the undertaking and managing of investigations into domestic violence occurrences be based on the following principles:

- (a) That it is in complete compliance with legislative and constitutional requirements, and recognized legal principles;
- (b) That members act with full respect for human dignity and according to professional standards of skill, integrity and accountability;
- (c) That it maintains both officer and public safety as a priority;
- (d) That it ensures members involved in investigations into domestic violence occurrences have the knowledge, skills, appropriate Ministry accredited training and abilities to perform this function;
- (e) That it include procedures for undertaking and managing investigations into domestic violence occurrences that address:
 - i) communications and dispatch
 - ii) initial response
 - iii) enhanced investigative procedures
 - iv) the mandatory laying of charges where there are reasonable grounds to do so, including in cases where there is a breach of bail condition, probation, parole or a restraining order
 - v) the use of a risk indicators tool
 - vi) children at risk
 - vii) high risk cases and repeat offenders
 - viii) occurrences involving members of a police service
 - ix) post-arrest procedures
 - x) victim assistance

xi) safety planning

- (f) That it maintains liaison with other police agencies, family and criminal justice agencies, community and social agencies and organizations dealing with issues relating to domestic violence; and
- (g) That the Chief of Police regularly review procedures relating to domestic violence occurrences to remain current with case law, inquests, inquiry findings, and amendments to related legislation.

4. Measurement Methods/Systems

The Chief of Police shall conduct an ongoing statistical analysis, qualitative and quantitative review of all domestic violence occurrence investigations to ensure the integrity of investigative practices and procedures.

5. Reporting

The Chief of Police shall report annually on a stand-alone basis to identify effectiveness of existing protocols, community partnerships, training and education.

The Chief of Police shall also report on those circumstances where an investigation into a domestic violence occurrence has resulted in an “exceptional” circumstance, or a circumstance which may be detrimental to the police service; and/or has significant issues of potential liability to the Board and the police service.

As part of a separate Annual Report on Adequacy Regulation, the Chief of Police shall report on compliance with this section of the policy.

6. Authority/Legislative Reference

Ontario Regulation 03/99, Section 12(1)(d) and 29
Board Minute #191/00
Board Minute #63/13

7. Linkage to Appropriate Police Service Procedure/Directive

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