

**FEDERAL STRATEGY ON GENDER-BASED VIOLENCE
BRIEFING NOTES FOR STATUS OF WOMEN CANADA AND DEPARTMENT OF
JUSTICE CANADA**

ISSUE: Effective Referrals to Community-Based Anti-Violence Programs

There is an urgent need to develop effective strategies to ensure that victims/survivors of violence are referred to community-based anti-violence programs.

KEY POINTS

- Sexual and domestic violence are the most underreported types of violent crime in Canada. Community-based anti-violence programs were set up to act as a bridge to the criminal justice system. Referral to community-based anti-violence programs is particularly important when victims/survivors are reluctant to report to police or to proceed with charges, given that community-based anti-violence workers are specially trained to support victims/survivors in these situations.
- Domestic-violence related homicides are considered the most preventable of all homicides. There is a large body of research that provides evidence that clearly identify specific known lethal risk factors (e.g., history of domestic violence, threats to kill, strangulation, stalking, sexual assault, etc.). An issue often raised in the aftermath of tragic domestic violence deaths is the availability of services for survivors and where they exist, a lack of linking women to these services while they were still alive. It is critical that all survivors of gender based violence be linked to the appropriate service as early as possible as these services don't just conduct critical risk assessment, they do safety planning, provide emotional support and offer victim navigation through all the complex social services that make up our social safety net in Canada.
- A number of official responses to deaths resulting from domestic violence have found that the involvement of community-based anti-violence programs to support abused women is key to women's safety, especially where women are reluctant to proceed. Women murdered by their partners are often not connected to community-based anti-violence programs, and do not have an advocate who can identify risk factors and assist with safety planning.
- Historically, there have been two primary barriers to the effective referral of survivors of power-based crimes to specialized, community-based anti-violence programs:
 - Lack of clarity about contractual obligations and lack of understanding of the importance of referral to community-based anti-violence programs.
 - Police and Crown concerns about privacy restrictions on releasing survivors' names to community-based anti-violence programs so that they can contact survivors.
- Current RCMP national policy allows for proactive referrals (e.g., passing a victim/survivor's name on to a community-based anti-violence program) under particular

circumstances, including sexual assault and domestic violence, as these are crimes that are considered highly traumatizing to victims. However, in the 2014 *Regulations Amending the Royal Canadian Mounted Police Regulations* relating to referral, there is enormous discretion given detachment commanders related to such referral, which can lead to victims/survivors not getting help, or police members being uncertain about the importance of making such referrals.

- In Alberta, for example, legislation exempts police-based victim services from providing support to victims of sexual assault who have decided not to or are unsure about reporting to police. This represents over 90% of sexual assault victims, who if not referred to community-based specialized victims programs, will be without any type of support or assistance.

- In the new National Framework for Collaborative Police Action on Intimate Partner Violence (IPV), published in March 2016, the Canadian Association of Chiefs of Police not only call for referral of victims to the appropriate service, they outline to police across the country that responding to IPV should be done collaboratively, across sector, hand in hand with community anti violence programs.

- In BC, all police departments/detachments and all police-based victim services have contractual obligations to refer victims/survivors of power-based crimes to community-based anti-violence programs “in an appropriate and timely manner,” where they exist. Detachment commanders must meet with their local police-based and community-based anti-violence programs to ensure that referral protocols are in place and policy is being followed. This policy came about in response to many domestic violence related deaths and coroner recommendations.

- The Ending Violence Association of BC’s Community Coordination for Women’s Safety Program, funded by the Ministry of Public Safety and Solicitor General, is currently working in partnership with the RCMP “E” Division Operations Policy Unit and the Provincial Office of Domestic Violence training communities to work collaboratively, to share information so that more robust risk assessment and safety planning can be done in cases of highest risk domestic violence.

- In evaluating provinces’ and territories’ support for victims in the *Report Card on the Criminal Justice System: Evaluating Canada’s Justice Deficit* (Perrin & Audas, 2016), the territories (Yukon, North West and Nunavut) each received a grade of “F,” while BC and Manitoba were rated the least supportive of victims among the provinces (with a grade of “C”).

SUGGESTED ACTIONS

- Ensure accountability measures are developed and implemented in order that the rights enshrined under The *Canadian Victims Bill of Rights* to information about available services and programs, including community-based anti-violence programs, are guaranteed for all victims/survivors of gender based violence.

- Provide support for current efforts to have RCMP operational policy amended to mandate proactive referrals by RCMP directly to community-based anti-violence programs.

- Appropriate steps should be taken to mandate proactive referrals to community-based anti-violence programs specializing in sexual and domestic violence.
- Appropriate steps should be taken to mandate proactive referrals by Crown Counsel to community-based anti-violence programs specializing in sexual and domestic violence.
- Train federal public service workers on risk factors for domestic violence related homicide; sexual assault and sexual harassment, to enable appropriate referrals to community-based anti-violence programs.
- Ensure that any federally resourced training and education for police-based and community-based anti-violence programs, police and Crown emphasizes the nature and importance of effective, proactive referrals to and coordination with community-based anti-violence programs, and accurate interpretation of relevant privacy legislation.
 - Training may include basic education, in-service training, and advanced specialized training, and should be cross-sectoral wherever possible in order to familiarize each sector with the other(s), break down barriers and build strong working partnerships.
 - An example of such training can be found in the Canadian Football League's (CFL) national *Violence Against Women* policy, developed in partnership with the Ending Violence Association of Canada. The implementation of this new policy was accompanied by violence against women training for all CFL players, coaches, and staff.

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