

# Domestic Violence Court Programs: Canada's Response to Domestic Violence

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# Domestic Violence Court Program (DVC)

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- Began in Toronto in 1997; now in 54 jurisdictions in Ontario and across various provinces.
- Strategy included:
  - Providing coordinated response by justice staff and community organizations
  - Early intervention in DV cases
  - Offender accountability
  - Protecting victims and providing outreach
  - Reducing recidivism

## Components of the DVC Program

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- } Uniquely trained DV Crown Attorneys, Victim Witness Assistance Program (VWAP) staff
- } Specific evidence collection and enhanced police investigative methods (risk assessment tools)
- } Case management protocols to coordinate prosecutions and focus on early intervention
- } A Partner Assault Response (PAR) program (provides education on DV issues and group counseling services)

# Early Intervention Program (EIP)

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- } first time offenders: no weapons/bodily harm during commission of offence
- } objectives: 1) offenders take responsibility
  - 2) counseling re abusive behavior
  - 3) support victims through VVWAP.
- } For ineligible offenders or those who decline EIP, focus turns to Coordinated Prosecution (coordinated and comprehensive police investigation and prosecution)

# MAG Evaluation of Ontario's DVC Program (2006)

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- Social support services lacking for victims.
- Difficult to monitor bail and probation conditions
- Increase in incarceration, and probation orders
- Increased cooperation among justice personnel
- Clients in EIP more likely to complete PAR versus those who took PAR as part of coordinated prosecution; offenders receiving same or less severe sentence after trial

# Department of Justice Studies

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2006 study on Ontario's PAR PROGRAM: some positive attitude changes including personal responsibility for abuse, but is attitude change predictor of change in abusive conduct?

2006 Study on Ont. DVC Program: may have reduced recidivism for DV offences, but results inconclusive; may be attributed to inconsistency in labeling offences as domestic.

# My experience in the DVC Program

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- Independent witnesses not interviewed
- } Inadequate time for Crowns to prepare victims
- } Lack of victim cooperation & charges often withdrawn.
- Some judges still insensitive to issue of domestic violence
- Defense counsel permitted to cross examine victims on sexual history & on other irrelevant information i.e. mental illness
- Concurrent family court proceedings (i.e. custody) seen as motive for victim to fabricate abuse

# Recommendations

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- More resources and more specialized DV Courts
- Sensitivity training for judges
- Judges providing incentives for accused to enter EIP
- More social services for victims
- More research on attitude change and reduction in recidivism