



RETURN TO WRITTEN QUESTION

Asked by: Adam Arreak Lightstone, MLA

Asked of: Hon. Jeannie Ehaloak, Minister of Justice

Number: 20 – 5(2)

Date: February 20, 2019

Subject: Recommendations of Domestic Violence Death Review

Answers have been provided below under the headings you provided in your original written question:

1. Public Education on Safe Separation

A. There needs to be a broader public awareness, directed at potential victims about the safe separation from an abusive partner and the risks in maintaining ongoing relationships that can jeopardize the safety of women and children.

Please specify in detail what initiatives the Department of Justice and the RCMP, have implemented since 2016 to enhance public awareness to victims, potential victims and family members. Please include a timeline of events.

The Department of Justice and the RCMP work with communities through the officers and community justice outreach workers to ensure that community members are aware of the issue of domestic violence and the remedies available.

That said, the Government of Nunavut recognizes the need for specific programming aimed at reducing violence in the territory. As such, there is a Family Violence Specialist and a Coordinator for the Prevention of Violence against Children positions within the Department of Family Services.

The Department of Justice provides the following violence prevention programs:

Rankin Inlet Spousal Abuse Counselling Program (Funded through a contribution agreement from the community justice division)

This is a pre-sentencing program for offenders who have entered a guilty plea for domestic assault. This program consists of 26 hours of counselling and education. If participants successfully complete the program, the prosecution and defence ask for a conditional discharge of the sentence. This program is available for court mandated clients, probation clients and is also available on a voluntary basis for self-referrals.

The Spousal Abuse Counselling Program also provides counselling to victims of spousal abuse and conducts outreach work to build awareness of family violence issues in the community.

The counseling program includes such topics as recognizing warning signs, identifying stressors, improving communication, navigating conflicts, setting boundaries, defining healthy relationships, defining abuse, to name a few. The program works with participants towards identifying destructive behaviours and to give them the tools to stop the abuse.

A 10-module version of this program is offered at the Rankin Inlet Healing Facility. Modules focus on spousal abuse but include anger management and one module speaks to all forms of abuse. The program is offered 2-3 intakes per year for inmates. Elders are included in the program delivery from time to time.

Family Abuse Intervention Act

The Department of Justice supports applicants experiencing abuse who are looking to apply for the two types of court orders available through the *Family Abuse Intervention Act*. The first type of order that individuals can apply for is an Emergency Protection Order. This type of order is for individuals who are concerned for their immediate safety and offers such measures as exclusive occupation of the family home for a period up to three months, protection from annoying or harassing behaviour, temporary custody of any children, and other measures that are deemed necessary for the protection of the applicant. The second type of order, Community Intervention Order, is applied for by both the individual experiencing abuse, and the abuser, and has court mandated counseling sessions for both parties when there is no immediate threat to the safety of both parties involved. Should the respondent or applicant violate any of the provisions of these orders, they can be criminally charged for violation of a court order.

The Community Justice Outreach Workers (CJOWs) support and assist this process as follows:

- they assist in the application process for Emergency Protection Orders and Community Intervention Orders in order to prevent and de-escalate family abuse;
- they assist with safety planning including information and referrals for safe shelters, counselling services, victim's assistance program, food banks, accompaniment to the RCMP, health centre, and safe shelter etc.;

- they assist with the application process for peace bonds – for all types of violence and not specific to family abuse.

Restorative Justice Diversion Program

The Restorative Justice Diversion program accepts summary offences including assault, assault with a weapon, firearms offences, uttering threats, and other charges in connection to violence excluding sexual abuse or violence, child abuse matters or domestic abuse.

Offenders who have yet to be charged can be referred to this program by the RCMP or post-charge from the Crown Prosecutor. Their files are facilitated by CJOWs and Community Justice Committees. Victims are engaged to participate in the program on a voluntary basis and to provide input as to how the harm they have caused can be addressed. Offenders must be actively engaged in repairing harm that they have caused, addressing the underlying issues that contributed to the offence and making amends to the victims and community. There is a focus on healing and meeting the needs of victims, offenders, and the community.

Short-term Crime Prevention Programming

Short-term crime prevention programs are run on the basis of funding availability. They are mainly grass-roots initiatives. Short-term programming that works on violence prevention is often branded as a cultural programming, but then incorporates components to work with participants to address negative behaviours in their relationships. Examples of such programs that have been offered are sewing program that teach participants how to make traditional garments and land programs teaching hunting and safety. Elder advisors or counselors are brought in during the course of the programs to discuss healthy relationships, trauma, or other issues that participants may be experiencing. Short-term crime prevention programs are run by Community Justice Outreach Workers.

Crime Prevention Strategy

The Department of Justice is currently working towards creating sustainable violence prevention programming as outlined in the Crime Prevention Strategy – including violence prevention programming that specifically focuses on addressing gender based violence in Nunavut. In March 2019, an assessment of programming gaps in the territory was conducted, and the division of community justice is now exploring what can be done to work towards filling those gaps.

B. Public awareness campaigns are needed that highlight how to recognize and respond appropriately, when a strained relationship is becoming a potentially lethal one. Important additional risk factors are high stress situations like extreme financial pressure, drugs and alcohol addictions and imminent family breakdown.

Please specify in detail what initiatives the Department of Justice, and the RCMP, have implemented since 2016 in relation to public awareness campaigns that

highlight how to recognize and respond accordingly, when a strained relationship is becoming a potentially lethal one. Please include a timeline of events.

Please see the response above under section 1A.

C. Community agencies in partnership with Government should explore the creation of an easily accessible, non-threatening mechanism for friends and family to get information and consult with a trained individual regarding situations where they have concerns that a woman is at risk from her intimate partner. This resource could provide direction where they are not sure how to intervene and or how to help protect the victim's safety.

Please specify in detail what initiatives the Department of Justice, and the RCMP, have implemented since 2016 to explore the creation of an easily accessible, non-threatening mechanism for friends and family to get information and consult with a trained individual regarding situations where they have concerns that a woman is at risk from her intimate partner.

Please note that this recommendation was targeted at community agencies and not the Department of Justice. Groups such as YWCA Aggvik and other women's shelters are particularly well placed to play this role. As these groups that work with women report to Department of Family Services, who have a Family Violence Specialist, it is likely that a response is best suited from this department. The Department of Family Services was provided a copy of the recommendations in 2016.

Additionally, the *Family Abuse Intervention Act's* purpose is to address family violence in a less confrontational manner. Community justice outreach workers, supported by community justice specialists and the manager of the *Family Abuse Intervention Act*, are able to work with families and friends of victims of family violence, as well as the victims of family violence themselves to provide advice and direction related to emergency protection orders. A concerned individual can request an emergency protection order on someone's behalf under the legislation.

The legislation was designed to create administrative orders, outside the formal justice system, so that victims of violence had alternatives to the formal court process and the RCMP when facing intimate partner violence. These administrative law proceedings are less confrontational than interactions with RCMP and the Nunavut Court of Justice.

D. We recommend that Community Justice Workers and Victim Service Specialists should receive specialized training in the dynamics of domestic violence. This training should include recognizing the signs and symptoms of domestic violence and how to effectively respond in the event that they suspect a client is being abused. It is important that the training focuses on all aspects of domestic violence including the psychological/ emotional/ verbal abuse that many victims experience; recognizing high risk cases such as when there is a

recent or pending separation between couples and Mental Health illness, drugs and alcohol addictions on part of the perpetrator.

Please specify in detail what initiatives has the Department of Justice implemented since 2016 to provide specialized training in the dynamics of domestic violence.

The Department of Justice provides training, professional development opportunities and mentorship to Community Justice Outreach workers and Victim Services staff. These opportunities include training and knowledge sharing related to family violence. There is annual training for Community Justice Outreach Workers on Restorative Justice and the delivery of services under the Family Abuse Intervention Act.

E. We also recommend that cross-cultural and cultural competency training should be a mandatory component of all training programs for front line workers, such as police, healthcare workers, and family violence specialists/ assistance workers.

Please specify in detail what initiatives the Department of Justice, and the RCMP, have implemented since 2016 to provide a cross-cultural and cultural competency training component to all training programs for front line workers, including police. Please include a timeline of events.

The Quality of Life Secretariat offers frequent opportunities across Nunavut for staff to take place in training titled “Building Relationships Through Reconciliation: Indigenous Cultural Competency”. This training includes a cross cultural component and a cultural competency component. We encourage any of our staff who want to take part in this training to do so. One of the individuals trained to deliver this program is an RCMP officer.

2. Law Enforcement Services

K. We recommend that Police Services should receive ongoing training for police on the most effective response to domestic violence cases especially where there is a history of homicidal and suicidal threats, separation, drugs and alcohol addiction and obsession with the victim.

Please specify in detail what initiatives the Department of Justice, and the RCMP, have implemented since 2016 to provide ongoing training for police on the most effective response to domestic violence cases especially where there is a history of homicidal and suicidal threats, separation drugs and alcohol addiction and obsession with the victim. Please include a timeline of events.

All RCMP recruits receive 26 weeks of training before they can become an officer. This training requires re-certification on a regular basis. This training includes how to respond to crisis situations, including domestic violence situations.

L. We continue to encourage that the Police Service should review various interactions with the victim and perpetrator with a view to ensure that all appropriate policies, procedure and directives were followed in order to learn and improve the systemic ways.

Please specify in detail what initiatives the Department of Justice, and the RCMP, have implemented since 2016 to review various interactions with the victim and perpetrator to ensure that all appropriate policies procedures and directives were followed in order to learn and improve the systemic ways. Please include a timeline of events.

The RCMP learns from every interaction with the community and uses this experience to better serve Nunavummiut. We also look forward to the results and recommendations of the Inquiry into Missing and Murdered Indigenous Women and Girls. Their mandate includes reviews of how institutional policies and practices effect outcomes related to domestic violence.

3. I would like to request what resources and supports are offered to individuals in cases where they have concerns about a family member's safety.

I cannot speak to what other departments are doing but just to the supports available from the Department of Justice. This is an issue that touches many other departments such as the Department of Family Services and their Domestic Violence Specialist and Community Social Services Workers as well as the Department of Health who offers mental health counselling.

The Department of Justice, as mentioned above, supervises or funds Community Justice Outreach Workers in most Nunavut communities. Concerned family and friends can reach out to these workers for advice on how to apply for an emergency protection order or can apply for an emergency protection order on behalf of their loved one.

4. Additionally I would like to request what resources and supports are available to victims of domestic violence who may not recognize the dangers posed by the ex-partners to themselves and their children.

This is a difficult question to answer. If someone does not recognize that they are in danger, they will not seek supports, regardless of how many resources are available to them. The Government of Nunavut can only be involved in a person's life to the extent that they allow us. The Government of Nunavut is open to any suggestions from the member on how we may approach such outreach.

We want to readdress here that family violence is an issue that touches many departmental mandates and is not something that government alone can address. Reducing family violence in Nunavut will require a community driven, government supported, change in the way in which this kind of violence is viewed. Values and beliefs regarding domestic violence and violence against women are changing but we need everyone to be more vigilant and support the people in their life that are dealing with unhealthy relationships.