



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Domestic/Family Violence
January 1 to December 31, 2022

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-04-24

Recommendation(s)

That the Niagara Police Services Board receive this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with By-Law 336-2013 – Domestic/Family Violence Occurrences.
- The Chief is required to make a written annual report to the Board with respect to domestic/family violence.
- This report provides information to the Board for review and consideration of information relating to the Service's response to domestic/family violence.

Financial Considerations

There are no financial implications relating to the recommendations within this report.

Analysis

In accordance with By-Law 336-2013, the Chief shall make a written report to the Board on or before August 30 of each year in respect of the investigation of domestic/family violence occurrences. The report shall include:

- a) A summary of the written procedures concerning domestic/family violence investigations, including changes since the date of the last report;
- b) The status of Service compliance with the said procedures;
- c) A summary of the training given to members with respect to domestic/family violence;
- d) A summary of the steps taken by the Service to monitor and evaluate response to domestic/family violence occurrences; and
- e) A summary of the issues dealt with by the domestic/family violence Coordinating Committee.

This Board Report will outline each of the above and confirm our compliance with the By-Law.

- a) *“...a summary of the written procedures concerning domestic/family violence investigations, including changes since the date of the last report...”*

The Service has specific policies related to the investigation of domestic/family violence occurrences. The following general orders establish rules, procedures, and responsibilities for managing investigations into domestic/family violence incidents:

- General Order 114.13 – Domestic/Family Violence
- General Order 115.07 – Assistance for Victims and Witnesses
- General Order 173.10 – Parental and Non-Parental Abductions
- General Order 084.08 – Child Abuse and Neglect
- General Order 019.09 – Violent Crime Bail
- General Order 052.07 – Mobile tracking Emergency Response System (MTERS) Program

General Order 114.13 – Domestic/Family Violence, meets all the requirements as outlined in the Provincial Adequacy Standards Regulation LE-024.

The MTERS program is a personal alarm for individuals who are deemed “high-risk” victims of domestic violence and other serious violent offences. This alarm system is a GPS device that is carried by a client. Upon activation, the GPS device sends a signal to a monitoring centre which in turn notifies the Communications Unit, and a Call for Service is generated. The MTERS program is facilitated and monitored through Victim Services Niagara (VSN).

Presently there are 13 MTERS alarms allocated within Niagara with an additional 5 on hold, as the offenders are currently in custody. On average, there are 10 MTERS alarms active within Niagara at any one time. In 2022, members of the Service responded to 5 MTERS alarm activations, all of which were determined to be unintentional/accidental. General Order 052.07 – Mobile Tracking Emergency Response System (MTERS) Program sets out the policy and procedures respecting MTERS alarms.

The Domestic Violence Response Protocol, developed between the Service, VSN, Victim Witness Assistance Program (VWAP), and Sexual Assault/Domestic Violence Treatment Program, is a community-driven document that outlines how the community partners respond to incidents of domestic violence. In addition to presenting clearly defined roles and responsibilities for all service providers, the protocol delineates the approach and agreed upon principles of responding to domestic violence. This “best practices approach” results in a consistent, comprehensive, and knowledgeable response from community partners to the needs of the complainant/client.

The protocol includes:

- Domestic Violence Response Protocol
- Protocol Agency Representatives
- Statement of Principles and Beliefs
- Definitions
- Commitments and Responsibilities
- General Intervention Principles
- Dispute Resolution
- Community Resource Referrals
- Special Circumstance Investigations
- Confidentiality
- Duration of Protocol

b) *“...the status of Service compliance with the said procedures...”*

The Service continually reviews compliance with Provincial Adequacy Standards and policy directives, including general orders and community response protocols. The Service incorporates the following models, as designated by the Ministry of the Solicitor General:

- Ensuring that an adequate number of patrol officers have received the Domestic Violence Investigators' Course, and domestic violence investigators receive updated and continued training in domestic violence; and
- Maintaining a specialized unit of domestic violence investigators, responsible for undertaking, managing, or reviewing the investigation of domestic violence occurrences.

The centralized Domestic Violence Unit (DVU) consists of 1 detective sergeant and 12 detective constables who are trained in conducting “enhanced domestic violence investigations”. The DVU mandate is to assist front-line uniform personnel with the investigation of all domestic/family incidents whether or not they involve violence, and to assume responsibility for the investigation of all domestic violence incidents that may result in criminal charges. Domestic violence investigators also provide increased monitoring of high-risk cases, consultation, and review of all reported domestic and family violence cases, as well as a closer working relationship with crown attorneys assigned to domestic violence cases.

The following chart illustrates the domestic violence statistics for 2020 - 2022:

CLASSIFICATIONS	2020	2021	2022
Domestic-related Reports - Criminal Investigations	1487	1618	1143
Domestic-related Criminal Investigations - Charges	936	848	954
Domestic-related Criminal Investigations - No Charges	551	770	189

c) *“...a summary of the training given to members with respect to domestic/family violence...”*

The Service continues to provide Service-wide training to investigators, front-line officers, and Communications personnel. Specifically, members of the DVU attended the following training courses in 2022:

- Search Warrant Course
- PEACE Interviewing Course
- Ontario Domestic Assault Risk Assessment Certification Course
- Investigative Interviewing Course
- Major Case Management Course

The Domestic Violence Investigators Course is scheduled annually and is available to all sworn members of the Service. This course was scheduled to be held in November of 2022, but was postponed until January 2023, due to front-line staffing issues.

d) *“...a summary of the steps taken by the Service to monitor and evaluate response to domestic/family violence occurrences...”*

In accordance with General Order 114.13 - Domestic/Family Violence, a detailed initial report shall be completed in response to all domestic/family violence incident complaints, whether or not an offence has occurred.

All reported domestic incidents that involve an Intimate Partner Relationship are flagged in the Versadex Records Management System. These reports are then routed to the DVU for review and appropriate action (concluded if they are complete, or assigned for follow-up, as required).

The Service continues to enforce the Attorney General's Mandatory Charge Policy, by requiring officers to lay charges in all incidents involving violence, abuse, or conflict between past or present intimate partners, where there are reasonable grounds to believe a criminal offence was committed.

The DVU works collaboratively with Probation and Parole, Domestic Violence Shelters, VSN, VWAP, Crown Attorney's Office, Family and Children Services Niagara, and community agencies to continually evaluate and monitor the Service's response to Domestic/Family Violence occurrences.

e) *“...a summary of the issues dealt with by the Domestic/Family Violence Coordinating Committee...”*

The Domestic/Family Violence Coordinating Committee (DVCC) meets on a regular basis to facilitate and monitor the domestic violence court process and provide a forum

for information sharing, process review, problem solving, and to promote a coordinated, effective justice response to domestic violence, in a multicultural environment.

Throughout the year, the DVCC addresses a variety of issues. A brief summary of priority challenges included:

- Challenges in working with abusive men to ensure they receive appropriate service. Counselling – Partner Assault Response (PAR) Program. A program review is currently underway, with partners from the Crown Attorney's Office and VWAP, on the development of an effective early intervention program, best suited for the Niagara Region;
- Domestic violence victims living in rural areas have limited access to services, may become isolated from social and community supports, and may suffer in silence if they are being abused. The issue of rural geography also impacts the PAR Program provider's ability to deliver services, and an offender's ability to attend PAR sessions. Probation and Parole services also experience challenges in delivering an appropriate level of supervision of offenders. To overcome these challenges the Service continues to work with community partners to deliver adequate services in rural areas of the Niagara Region, including a presence at the Service's rural detachments of satellite probation and parole offices;
- There are two domestic violence shelters that offer support services for the Niagara Region. Safe, secure, and affordable housing is a key component of a community response to domestic violence. A significant number of women continue to stay in abusive relationships due to the lack of affordable housing or shelter availability within the Region. The shelters are generally fully occupied throughout the year;
- Agencies continue to report the need for services for elderly victims of domestic violence. The elderly present specific and unique challenges in accessing appropriate services. A coordinated effort is required to address these issues, and the Service continues to work collaboratively with its partners to assess appropriate responses on a case-by-case basis;
- Persistent challenges remain in the Family Court system due to high legal costs and the difficulty of obtaining a lawyer to proceed with legal aid certificates. Due to the challenges, numerous clients are forced into a situation where they have to represent themselves in Family Court proceedings; and
- Discussions continue regarding specific interim release conditions as it pertains to bail. Accused persons are often being released with a condition to provide police with an address within 24 hours after their release. It has been difficult to track the compliance of the condition and it is continually being discussed with members of the judiciary.

The Service remains compliant with By-Law 336-2013, respecting adequate service delivery in response to domestic and family violence.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of Police Services Board By-Law and to maintain compliance with the Provincial Adequacy Standards Regulations.

Relevant Policy Considerations

Police Services Board By-Law 336-2013, Domestic/Family Violence Occurrences.
General Order 114.13 – Domestic/Family Violence.

Other Pertinent Reports

8.16.2022.05.19 – Annual Report – Domestic/Family Violence – January 1 to December 31, 2021.

This report was prepared by Jesse Miller, Detective Sergeant, Domestic Violence Unit in consultation with Mike Casella, Staff Sergeant, Special Victims Unit; reviewed by Dave Masotti, Inspector, Investigative Support Services and reviewed by Darrin Forbes, Acting Superintendent, Emergency and Investigative Support Services. Recommended by Brian Ash, Acting Deputy Chief, Operational Services.



Submitted by:

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Chief of Police

Appendices

Not applicable.