

STATUS REPORT – PROTECTION AGAINST FAMILY VIOLENCE ACT

The *Protection Against Family Violence Act* came into force on April 1, 2005. This new legislation gives people who experience family violence a new opportunity for early intervention and protection.

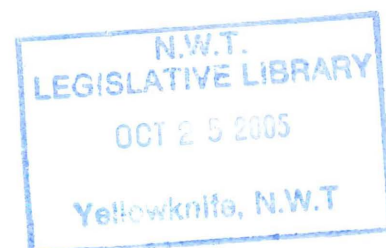
A key remedy available through the Act is the emergency protection order. This is available 24 hours a day, seven days a week. To apply, people contact their nearest RCMP detachment or call Alison McAteer House toll-free at 1-866-223-7775. Both are trained to help the person make an application to a trained and designated Justice of the Peace.

While emergency protection orders alone do not solve the larger problem of family violence, they can prevent violence and provide short-term relief while a victim makes longer-term safety plans. They are most effective when included in a larger, coordinated response to family violence.

To this end, Department of Justice staff have conducted consultations and provided designate training, public education, community training and support.

Consultation: Prior to April 1st, the Department offered several opportunities for residents to provide input on the *Protection Against Family Violence Act* delivery process. These opportunities included:

- Website consultation – Justice website provided information on the Act and asked for comments on the delivery process.
- Consultation with the Advisory Committee (RCMP, YWCA, Native Women's Association, Legal Services Board, Courts, Health and Social Services) and with the Coalition Against Family Violence. (The Coalition comprises non-profit and government agencies that are committed to preventing and reducing family violence.)
- Focused consultations with individuals and organizations that have considerable contact and experience with victims and perpetrators of violence. These consultations were held in Yellowknife, Hay River and Inuvik. The Inuvik session included participants from Tsiigehtchic; Sachs Harbour, Tuktoyaktuk and Fort McPherson. There were also informal consultations that took advantage of community representatives travelling to Yellowknife.
- Focus groups that provided feedback and input specifically for the public education campaign: Behchokò, Centre for Northern Families, NWT Seniors Society and the Salvation Army.



Public education – A comprehensive public education campaign was developed. Public materials are in plain language and have been available since April 1, 2005. The initial launch of the written material involved a mass mail-out to over 350 organizations and agencies across the NWT. Each mail-out included an order form to request additional materials. Due to high demand, these written materials are already in their third round of printing and distribution.

The campaign included:

- Posters that describe different types of family violence, promote the phone number, and contain the official languages active offer. Information is legible from a distance of several yards.
- Booklets that describe emergency protection orders and the process for getting one. The phone number is heavily promoted in the booklets.
- Tent cards saying “Let’s Talk” have been distributed to community organizations, clearly identifying local resources that are able to help.
- Booklets specific to older people describe elder abuse in larger font, talk about community resources and promote the phone number. The Tele-care NWT number is included as an option for people who need translation support.
- Newspaper ads in all NWT newspapers including L’Aquila promoted the phone number during the spring and summer of 2005.
- Ads for Family Violence Awareness Week incorporated imagery from the campaign and promoted the phone number and Justice website.
- Television ads on CBC North and APTN promote the phone number.
- Television ads in Inuvialuktun have been provided to helpers in the Inuvialuit Settlement Region.
- Television ads specific to older people will show elder abuse and promote the phone number on CBC North beginning in November 2005.
- Longer radio ads on community radio (distributed on CD) offer information in five NWT aboriginal languages about family violence, people who can help, and the phone number.
- Radio ads on CJCD, CKLB and Radio Taiga promoted the phone number during the spring and summer of 2005.

- Movie ads in Yellowknife theatres promoted the phone number during the spring and summer of 2005.
- Justice family violence website provides information in plain language for family members who are dealing with family violence, includes information about the Act, promotes the EPO phone number and provides links to other information about family violence.

Community Training and Support – The Department has travelled to 14 communities and met with over 300 community members to talk about their communities' responses to family violence and how the *Protection Against Family Violence Act (PAFVA)* can be used to complement local efforts. This travel was done in partnership with the Coalition Against Family Violence. Communities visited were:

- Fort Resolution
- Hay River
- Fort Smith
- Fort Providence
- Deline
- Norman Wells
- Aklavik
- Tuktoyaktuk
- Whatì
- Lutsel K'e
- Paulatuk
- Inuvik
- Behchokò
- Fort Good Hope (booked November 2-3, 2005)

The Department is committed to providing ongoing *PAFVA* public education and training that supports community-level responses to family violence.

Training - The Department trained RCMP and shelter staff about their direct role in the legislation. The training was held March 7 & 8th 2005 in Yellowknife and addressed the dynamics of family violence, the Act and participants' roles and responsibilities in the emergency order application process. Training materials were developed by a contractor for this session and will be used by RCMP as they train other officers in their detachments.

Six-Month PAFVA Review:

The Department is in the process of conducting a six-month review. This involves reviewing the PAFVA Supreme Court files and interviewing designate groups and stakeholders. Preliminary findings from the file review indicate:

<i>April 1, 2005 to September 30, 2005</i>	
Applications granted	45
Applications denied	5
Applications adjourned (not reconvened)	3
Total number of applications:	53
Total number of communities	14 (all regions)

Usage: Our anticipated number of applications for the first year the Act would be in force was 50-60 applications. This number was based on family violence legislation use in other jurisdictions. Our total number of applications at 6 months matches our projection for the entire year. Reasons for this may include:

- ❑ NWT has one of the highest reported rates of family violence per capita in Canada.
- ❑ Northerners in general have fewer choices given their geographic isolation, community size and capacity. The legislation quickly provides new help in an emergency.
- ❑ The public education campaign and community training has been extensive and beyond what other jurisdictions have invested.
- ❑ Providing access through a toll-free line has given everyone in the NWT 24-hour access to the service.
- ❑ Designating family violence counsellors to assist victims in making emergency protection order applications makes the legislation relevant and accessible to many victims. It also increases the likelihood that protection under the legislation will be a piece of a larger safety plan or a key stage in a larger solution. (Alberta's evaluation report recommends designating family violence counsellors and having a 24-hour toll-free line)

Applicant Profile: Most applicants are women with children who report a long and significant history of family violence. However, there have been applications from seniors as well as men. Our review shows that the legislation is being used as intended: in the majority of cases there is a significant history of violence and a threat or escalating violence that could reasonably be viewed as urgent.

Areas to Address: Usage has been high and it is clear that people in the Northwest Territories see this as a tool that can help them and their children escape family violence. In general, the implementation has been very successful. There have been some difficulties identified in the preliminary review and the Department, the Judiciary, the RCMP and the YWCA are resolving problems as they arise. Issues identified to

date have included technical difficulties with recording equipment, lack of oaths in some application hearings, lack of evidence of orders being served and improperly-completed affidavits. All partners have communicated a strong commitment to addressing and resolving issues as they arise.

A detailed operational report of the first 6 months of the legislation will be completed by December 2005.

